PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Meeting Date:

September 18, 2018

Department:

Fire-Rescue

Advisory Board:

Fire Code Board of Appeals and Adjustments

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to approve: reappointment to the Fire Code Board of Appeals and Adjustments Committee beginning October 1, 2018 through September 30, 2021.

Reappoint:

Nominee Jacek Tomasik

Category
Building Official

Seat No.

Nominated By

Mayor McKinlay
Vice Mayor Bernard
Commissioner Valeche
Commissioner Kerner
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 2017-043). On July 18, 2018 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 no more than three (3) consecutive three (3) year terms. No other nominations were received. The board consists of eight (8) members, with five (5) seats currently filled and a diversity count of Caucasian: 4 (80%) and African-American: 1 (20%). The nominated candidate is a Caucasian male. The current gender ratio (male:female) is 5:0. 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. There is still a vacant position for the General Contractor, Seat 1, Fire Sprinkler Contractor, Seat 5, Mechanical Engineer, Seat 7 and nominations are being pursued.

Attachments:

- 1. Board/Committees Application Forms
- 2. Biography/Resume for Nominee
- 3. Current List of Board Members
- 4. Section 1.10 Board of Appeals and Adjustments, Section 12-57 Amendments to the Florida Fire Prevention Code, Palm Beach County Code
- 5. Memo dated July 18, 2018 to Commissioners requesting nominations
- 6. 2018 Meeting Schedule

Recommended B	y: Michael (Mackey	8/28/18	
	Department Director	Ďate [′]	***************************************
Approved By:	Then Burn	8/28/18	
	Assistant County Attorney	Date	

II. REVIEW COMMENTS

A.	Other Department Review:
	Department Director

REVISED 06/92 ADM FORM 03 (THIS SUMMARY IS NOT TO BE USED AS A BASIS FOR PAYMENT.)

U:\Bcc\BDAPPT.FRM

Updated1/13/17

The information provided on this form will be used in considering your nomination. Please COMPLETE SECTION II IN FULL. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

Section I (Department):	(Please Print)					
Board Name: FCBA	AA		4000	Ad	visory []	Not Advisory [人]
[] At Large App	pointment	or	[] Distri	ct Appointment	:/District#:_	
Term of Appointment:	_3 y	ears. F	rom: 10 1	18 To	o:	130/21
Seat Requirement:	Buildi	ng off	icial	Se	eat #:	3
[X]*Reappointn	nent	or	[]New A	Appointment		
		المان الأوراد المان	Due	to: [] re	esignation	[] other
Completion of term to ex	pire on:					
*When a person is being term shall be considered				ous disclosed ve	oting conflic	ts during the previous
Section II (Applicant): (APPLICANT, UNLESS E		T BE A COUNT	TY RESIDENT			
Name: Tomas	ik ,	Ja	icek			
Last			rst		Middle	
Occupation/Affiliation:	Building Of	ficial			.composition	
	Owner []		Employee []	Officer	[]
Business Name:	Village of W	/ellington Buildi	ng Department			CONTRACTOR OF THE PROPERTY OF
Business Address:	_12300 Fores	t Hill Blvd			- A Marie II	
City & State	Wellington	- China	onigendo esta de la companya della companya della companya de la companya della c	Zip Code:	33414	
Residence Address:	12328 85 th R	Load North				
City & State		Beach, Fl. 33412		Zip Code:	33412	
Home Phone:	() n/a		Business Phone:	*		Ext. n/a
Cell Phone:	(561)632-3391		— Fax:	()		
Email Address:	jtomasik@welling	gtonfl.gov	•			
Mailing Address Preference	ce: [X] Business	[] Residence				
Have you ever been convi- If Yes, state the court, nate						
Minority Identification (e nic-American	[] Female [] Asian-Americ	ean []Africa	an-American	[义] Caucasian

Page 1 of 2

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.

Contract/Transaction No.	Department/Division	Description of S	Services	Term
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Mainten	ance	10/01/00-09/30/2100
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NONE		NOT APPLIC		
	to the Sunshine Amendment. A tyethics.com/training.htm.	Article XIII, and the tra Ethics training is on-s erstand, and agree to al	ining requiremen going, and pursus	t can be found on the web ant to PPM CW-P-79 is II, the Palm Beach County
	tching the training program or ending a live presentation give	** *		
	AND			
By signing below I acknow & State of Florida Code of	wledge that I have read, unde of EtHics:	erstand and agree to abi	de by the Guide to	the Sunshine Amendment
*Applicant's Signature:	Prin	ited Name: JHGEK	TOMASIK	Date: <u>7-18-18</u>
Any questions and/or concerns re website www.palmbeachcountyet				
	{Insert Liaison Name Here},	this FORM to: , {Insert Department/Di Address Here)	vision Here}	
Section III (Commissioner, if ap Appointment to be made		0		
Commissioner's Signature:	Melesse WHLe	Date:	7/31/18	Revised 02/01/2016
Pursuant to Florida's Public Records Law	, this document may be reviewed and	photocopica by members or th	e public.	Revised 02/01/2010
Page 2 of 2				

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Section I (Depart	tment): (Pleas	se Print)					
Board Name:	FCBAA	- Constitution of the Cons				Advisory []	Not Advisory [太]
[] At L	arge Appointr	nent	or	[] Distric	t Appointm	ent /District #: _	
Term of Appoint	tment:	3 Years.	Fr	om: 10/1/1	8	To:	13021
Seat Requiremen	nt:	Building	OFF	icial		Seat #:	3
[X]*Re	appointment)	or	[] New A	ppointment	:	
Completion of to	is being cons	on: idered for reappoi	ntment, the	e number of previou		resignation	[] other ts during the previous
Section II (Appli	icant): (Plea	he Board of County se Print) MPTED, MUST BE					
Name:	Tomasik			cek rst		Middle	
Occupation/Affi	Last iliation:	Building Official	rı	ist		IATIOGIC	
•		Owner []		Employee [Officer	:[]
Business Name	•	Village of Wellin	gton Buildi	ng Department			200000
Business Addre	ess:	12300 Forest Hill	Blvd			- Water	
City & State		Wellington			Zip Code:	33414	
Residence Add	ress:	12328 85th Road I	North			VA.	
City & State		West Palm Beach	, Fl. 33412		Zip Code:		
Home Phone:) n/a		Business Phone:	(561) 753-2505	Ext. n/a
Cell Phone:	(50	61) 632-3391	A. 4484	_ Fax:	()		
Email Address:	<u>jtor</u>	nasik@wellingtonfl	.gov		American Fortist		
Have you ever be	een convicted	X] Business [] of a felony: Yes	N	NoX nd date:			
Minority Identi	fication Code ve-American	e: [X] Male [] Hispanic-A	American	[] Female [] Asian-Americ	an []A	frican-American	n [ێ] Caucasian
Page 1 of 2							

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Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
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	(Attach Additional Sho	eet(s), if necessary) OR	
NONE		NOT APPLICABLE/ (Governmental Entity)	
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By signing below I acknow Code of Ethics, and I hav	wledge that I have read, understar e received the required Ethics tra	nd, and agree to abide by Articl ining (in the manner checked b	e XIII, the Palm Beach County elow):
_X By war By atte	tching the training program on the \end{aligned} ending a live presentation given on	Web, DVD or VHS onJu	ıly 2018
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& State of Florida Code of *Applicant's Signature:	wledge that I have read, understand of Ethics: Printed Negarding Article XIII, the Palm Beauthics.com or contact us via email at	lame: JAGEK TOMA:	Six Date: $7-18-18$ visit the Commission on Ethics
	Return this l {Insert Liaison Name Here}, {Ins {Insert Add	ert Department/Division Here}	
Section III (Commissioner, if a Appointment to be made Commissioner's Signature: Pursuant to Florida's Public Records Lav	pplicable): e at BCC Meeting on: Mach Summer of the summer	Date: Date: Date:	Revised 02/01/2016
Page 2 of 2			
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[] At I	Large Appoints	nent	or	[_] Dist	rict Appo	intment /Dist	rict #:	·····
Term of Appoin	ntment:	3 Years.	F	rom: 10 1	18	To:	9	30 21
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<u>Section II (App</u> <i>APPLICANT</i> , U		se Print) MPTED, MUST BE	E A COUN	TY RESIDENT				
Name:	Tomasik			cek			91	
Occupation/Af	Last filiation:	Building Official		irst		Mid	dle	
Occupation/Air	imanom.			T	· 7		Officer	r 7
		Owner []		Employee	LJ		Officer	1.1
Business Nam	e:	Village of Wellin		ng Department			P-	
Business Addı	ress:	12300 Forest Hill	Blvd					
City & State		Wellington	······································		Zip C	ode: _	33414	
Residence Ado	dress:	12328 85 th Road I	North	4-86-86-86-8				
City & State		West Palm Beach	ı, Fl. 33412		Zip C	ode:	33412	
Home Phone:) n/a		Business Phon	e: <u>(</u>	561) 753-25	05	Ext. n/a
Cell Phone:	(56	61) 632-3391		Fax:	_	_)		
Email Address	: jtor	nasik@wellingtonfl	.gov					
Mailing Address	s Preference: 「	[X] Business []	Residence					
Have you ever b	neen convicted	of a felony: Yes of offense, disposition	ľ	NoX nd date:				
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Minority Ident	ification Code tive-American	e: [X] Male [] Hispanic-A	American	[] Female [] Asian-Ame	rican [] African-A	merican	[X] Caucasian
Page 1 of 2	,							
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Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
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By signing below I acknow Code of Ethics, and I ha	owledge that I have read, und ve received the required Ethi	erstand, and agree to abide by Artick cs training (in the manner checked b	elow):
_X By we By at	atching the training program or tending a live presentation give	the Web, DVD or VHS onJuen on, 20	.ly 2018
	AND		
& State of Florida Code	of EtHics:	erstand and agree to abide by the Gui	
*Applicant's Signature:	Pri	nted Name: JACEK TOMAS	5/K Date: 7-18-18
Any questions and/or concerns r website <u>www.palmbeachcounty</u>	regarding Article XIII, the Paln ethics.com or contact us via en	n Beach County Code of Ethics, please nail at ethics@palmbeachcountyethics.c	visit the Commission on Ethics om or (561) 355-1915.
	{Insert Liaison Name Here}	this FORM to: , {Insert Department/Division Here} Address Here)	
Section III (Commissioner, if and Appointment to be made Commissioner's Signature: Pursuant to Florida's Public Records La	de at/BCC Meeting of:	Date: 9/13/	Revised 02/01/2016
Page 2 of 2			
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[] At Large Appoi	ntment	or	[] District	Appointm	ent /District	#:	
Term of Appointment:	3 Years.	From:	10/1/18	3	То:	9/30	21
Seat Requirement:	Building	Officia	21		Seat #: _	3_	
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Section II (Applicant): (Plant APPLICANT, UNLESS EX		A COUNTY RE	ESIDENT				
Name: Tomasik		Jacek	•				
Last	Dulling Official	First			Middle		
Occupation/Affiliation:	Building Official			*****			
	Owner []		Employee []		Ofi	ficer []	
Business Name:	Village of Welling	ton Building De	epartment	Ac-2-17-18-1-1		- Carrier March	
Business Address:	12300 Forest Hill	Blvd		p		- or any first of the second	4104000
City & State	Wellington		4	Zip Code:	334	414	
Residence Address:	12328 85 th Road N	orth					
City & State	West Palm Beach,		,	Zip Code:	334	412	
Home Phone:) n/a		siness Phone:	(561)	753-2505		Ext. n/a
	561) 632-3391	Fa		()			
	omasik@wellingtonfl.	A 1000 -					
Mailing Address Preference:							
Have you ever been convicted If Yes, state the court, nature	ed of a felony: Yese of offense, disposition	No n of case and date	X te:				
Minority Identification Co			Female Asian-American	n []A:	frican-Amer	ican [刈	Caucasian

Page 1 of 2

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Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100
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NONE		NOT APPLICABLE/ (Governmental Entity)	
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Code of Ethics, and I have	wieage that I have read, under we received the required Ethic	s training (in the manner checked b	elow):
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& State of Florida Code *Applicant's Signature: Any questions and/or concerns re	of Ethics: Print	ed Name: JHGE TOMMS Beach County Code of Ethics, please if at ethics@palmbeachcountyethics.co	Date: $\frac{7-18-18}{}$ visit the Commission on Ethics
website www.pamiocaencountye	Return ({Insert Liaison Name Here},	this FORM to: {Insert Department/Division Here} Address Here)	
Section III (Commissioner, if a Appointment to be made Commissioner's Signature:	e at BCC Meeting on:	Dut.	3/ // g ² Revised 02/01/2016
Pursuant to Florida's Public Records Lav	v, this document may be reviewed and p	motocopied by members of the public.	1011000 32 4 4 7 2 3 7
Page 2 of 2			

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Board Name:	FCBAA				and a second		Advisory [] Not Advis	sory [人]
[] At Lar	ge Appointn	nent	or		[] District	: Appoint	ment /District #	# :	
Term of Appointm	ent:	3 Years.	Fi	rom:	10/1/1	8	_ To:	9/30/2	1
Seat Requirement:		Building	OFF	icial			Seat #:	3	
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	Tomasik Last			cek rst			Middle		
Occupation/Affilia		Building Official	A L				17110610		
		Owner []		Em	ployee []		Offic	сег []	
Business Name:		Village of Welling	ton Buildii	ng Depar	tment				
Business Address	:	12300 Forest Hill l	Blvd					On the state of th	
City & State	-	Wellington				Zip Code	e: <u>3341</u>	14	
Residence Addres	ss:	12328 85th Road N	orth						Alternative views
City & State		West Palm Beach,	Fl. 33412			Zip Code	e: <u>3341</u>	12	
Home Phone:		n/a		_ Busine	ess Phone:	(56	1) 753-2505	Ex	ct. n/a
Cell Phone:	(56)) 632-3391		Fax:)		
Email Address:	<u>jtom</u>	asik@wellingtonfl.g	gov						
Mailing Address Pr	eference: []	K]Business []R	esidence						
Have you ever been If Yes, state the cou				lo _X_ id date: _		and the second	400		1072
Minority Identification		Male [] Hispanic-Ar	nerican	[]Fen	nale an-America	n []/	African-Americ	ean [X] Cauca	sian

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	(Attach Additional	Sheet(s), if necessary) OR	
NONE		NOT APPLICABLE/ X (Governmental Entity)	
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By signing below I ackno Code of Ethics, and I hav	wledge that I have read, unders re received the required Ethics	stand, and agree to abide by Artick training (in the manner checked be	e XIII, the Palm Beach County blow):
_X By wa By att	tching the training program on the ending a live presentation given o	ne Web, DVD or VHS onJu	Jy2018
	AND		
& State of Florida Code	of Ethlics:	tand and agree to abide by the Guid	
Any questions and/or concerns rewebsite www.palmbeachcountye	garding Article XIII, the Palm B thics.com or contact us via email	each County Code of Ethics, please value at ethics@palmbeachcountyethics.co	visit the Commission on Ethics om or (561) 355-1915.
	{Insert Liaison Name Here}, {	nis FORM to: Insert Department/Division Here} ddress Here)	
Section III (Commissioner, if a Appointment to be made Commissioner's Signature:_	pplicable): e at BCC Meeting on:	Date: 731	16
Pursuant to Florida's Public Records Lav	v, this document may be reviewed and ph	notocopied by members of the public.	Revised 02/01/2016
Page 2 of 2			
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Seat Requirement:	Building	offi	cial		Seat #:	3	
[X]*Reappointmen	t .	or	[] New A	ppointmen	t		
or [] to complete the	e-term of e on:		Due t	o: []	resignatio	on []	other
*When a person is being conterm shall be considered by	the Board of County	tment, the Commissi	number of previo	us disclose	ed voting co	nflicts dur	ing the previous
Section II (Applicant): (Ple APPLICANT, UNLESS EXI	ease Print) E MPTED, MUST BE .	A COUNT	Y RESIDENT				
Name: Tomasik		Jac) (: J.J.		
Last Occupation/Affiliation:	Building Official	Fir	st		Middle	;	
	Owner []		Employee [I	Oi	fficer []	
Business Name:	Village of Welling	ton Buildin	g Department				
Business Address:	12300 Forest Hill I	Blvd					
City & State	Wellington			Zip Code	: _33	414	
Residence Address:	12328 85 th Road N	orth					
City & State	West Palm Beach,	Fl. 33412		Zip Code	:33	412	
Home Phone:) n/a		Business Phone:	(561	753-2505		Ext. n/a
Cell Phone:	561) 632-3391		Fax:				
Email Address: jte	omasik@wellingtonfl.g	gov					
Mailing Address Preference:	[X] Business [] R	esidence					
Have you ever been convicte. If Yes, state the court, nature	d of a felony: Yes of offense, disposition	No of case and	o_X_ d date:				
Minority Identification Coc [] Native-American		nerican	[] Female [] Asian-Americ	an []A	frican-Ame	rican [X]	. Caucasian

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.

Contract/Transaction No.	Department/Division	Description of Services	<u>Term</u>		
Example: (R#XX-XX/PO XX)	Parks & Recreation	General Maintenance	10/01/00-09/30/2100		
	(Attach Addition:	al Sheet(s), if necessary) OR			
NONE		NOT APPLICABLE/ (Governmental Entity)	X		
Ethics, and read the State Guide at: http://www.palmbeachcourequired before appointment, By signing below Lacknown	to the Sunshine Amendment, A ntyethics.com/training.htm. 'E and upon reappointment.	and complete training on Article XIII, article XIII, and the training require thics training is on-going, and perstand, and agree to abide by Articles training (in the manner checked by	ement can be found on the web ursuant to PPM CW-P-79 is te XIII, the Palm Beach County		
X By w	atching the training program on	the Web, DVD or VHS onJu			
	AND				
& State of Florida Code	of Ethlics:	rstand and agree to abide by the Gui			
*Applicant's Signature:	Print	ted Name: JACEK TOMA!	$511 < \text{Date:} \frac{7 - 18 - 18}{}$		
Any questions and/or concerns r website www.palmbeachcounty	egarding Article XIII, the Palm ethics.com or contact us via ema	Beach County Code of Ethics, please til at ethics@palmbeachcountyethics.c	visit the Commission on Ethics com or (561) 355-1915.		
	{Insert Liaison Name Here},	this FORM to: {Insert Department/Division Here} Address Here)			
Section III (Commissioner, if a Appointment to be made	applicable): le at BCC Meeting on:		, ,		
Commissioner's Signature:	Mary Lon Bas	n Date: 9/	4/18		
Pursuant to Florida's Public Records La	w, this document may be reviewed and p	photocopied by members of the public.	Revised 02/01/2016		

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Jacek R. Tomasik 12328 85th Road North, West palm Beach, Fl. 33412 Phone: (561) 632 - 3391

Employment History:

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City of Wellington Building Department - January 2001 - Present

- March 2006 Present: Building Official, Village of Wellington.
 Supervisory and administrative duties of enforcement of local, state and
 Federal construction codes for new and existing construction.
 October 2009-October 2010 Additional Duties of Development Services
 Director In charge of Land Development permitting.
- July 2002 March 2006: Chief Inspector, Village of Wellington.
 Supervisory and administrative duties related to inspection and permitting process.
- January 2001 July 2002: Construction Inspector, Village of Wellington. Inspections in Structural, Plumbing and Mechanical categories.

Village of Royal Palm Beach - January 1989 - January 2001

- June 2000

 Jan. 2001: Construction Inspector, Village of Royal Palm Beach.
 Inspections in Structural Category
- January 1990 Jan. 2001: Trade Worker, Village of Royal Palm Beach.
 In charge of construction, maintenance and repair of municipal structures.

State Licensure:

ICC/SBCCI Certifications

- Building Code Administrator
- Building Plans Examiner
- Mechanical Plans Examiner
- Plumbing Plans Examiner
- I & 2 Family Dwelling Plans
 Examiner
- Structural Inspector
- Mechanical Inspector
- Plumbing Inspector
- 1&2 Family Dwelling Inspector
- LEED AP Certified
- Building Code Administrator
- Building Code Professional

- Building Plans Examiner
- Mechanical Plans Examiner
- Plumbing Plans Examiner
- Costal Construction Inspector
- Structural Inspector
- Mechanical Inspector
- Plumbing Inspector
- 1&2 Family Dwelling Inspector
- Fire Safety Inspector 1
- ICC Fire Inspector I and II

Memberships:

- Building Official Association of Florida
- National Fire Prevention Institute
- International Code Council
- Florida Association of Plumbing Gas Mechanical Inspectors
- Association of Floodplain Managers
- Palm Beach County Building Code Advisory Board
- Palm Beach County Fire Code Board of Appeals and Adjustments

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 December 29, 2004; amended by Ordinance No. 2011-038, adopted December 28, 2011; amended by Ordinance 2014-002, adopted February 4, 2014; amended by Ordinance 2017-043, effective December 31, 2017.

II. APPOINTING BODY:

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL:

The Board is comprised of eight members who are qualified by training and experience to vary the application and provisions of the Code, and act on related matters, and to perform such other duties as established. The composition of the Board is as follows: one registered engineer, practicing in the mechanical field; one Florida or Palm Beach County certified general contractor; one certified fire alarm contractor; one fire sprinkler contractor; one citizen of Palm Beach County, not eligible under other membership categories; one registered architect; one Palm Beach County municipal building official; and one 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 members shall serve no more than three consecutive three year terms. Members terms shall begin on October 1st and end on September 30th. 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(11), Florida Statutes; 3) To resolve conflicts between the building code and the fire code, in accordance with Section 553.73(11), Florida Statutes.

VI. LIAISON INFORMATION:

LIAISON DEPARTMENT

Fire Rescue

CONTACT PERSON

Larry Willhite

<u>ADDRESS</u>

405 Pike Rd Bureau of Safety . West Palm Beach FL 33411 Phone # 561-616-7031

^{*} indicates a member having an action pending



FIRE CODE BOARD OF APPEALS & ADJUSTMENTS

CURRENT MEMBER	ROLE TYPE	RACE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
y : At-Large/Palm Beach Cou	nty Board of C	ounty Con	nmissioners		'			
Vacant	Member				General Contractor			1
NOMINATED BY	:							
David Woodside dwoodside@myboca.us City of Boca Raton/Fire Rescu 6500 Congress Ave Ste 200 Boca Raton FL 33487	Member le Services	AA	M	561-982-4000	Municipal Fire Representative	10/01/2016	07/11/2017	09/30/201
NOMINATED BY	:							
Jacek R. Tomasik jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414	Member	CA	M	561-753-2505	Building Official	05/19/2009	10/01/2015	09/30/201
NOMINATED BY	:							
steve@soderlundarchitecture.	com	CA	M	-954-260-3452	Architect	10/01/2015	10/01/2018	09/30/202
	NOMINATED BY David Woodside dwoodside@myboca.us City of Boca Raton/Fire Rescu 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY Jacek R. Tomasik jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY Steve R. Soderlund steve@soderlundarchitecture, Soderlund Architecture and De 19369 Colorado Cir	CURRENT MEMBER TYPE y: At-Large/Palm Beach County Board of County NOMINATED BY: David Woodside Member dwoodside@myboca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik Member jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund Member steve@soderlundarchitecture.com Soderlund Architecture and Design, P.A. 19369 Colorado Cir	CURRENT MEMBER TYPE CODE y: At-Large/Palm Beach County Board of County Con Vacant NOMINATED BY: David Woodside dwoodside@myboca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund NOMINATED BY: Steve R. Soderlund Nominated BY: Steve@soderlundarchitecture.com Soderlund Architecture and Design, P.A. 19369 Colorado Cir	CURRENT MEMBER TYPE CODE GENDER y: At-Large/Palm Beach County Board of County Commissioners Vacant Member NOMINATED BY: David Woodside Member AA M dwoodside@myboca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik Member CA M jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund Member CA M steve@soderlundarchitecture.com Soderlund Architecture and Design, P.A. 19369 Colorado Cir	CURRENT MEMBER TYPE CODE GENDER HOME PHONE y: At-Large/Palm Beach County Board of County Commissioners Vacant Member NOMINATED BY: David Woodside dwoodside@myboca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik jtomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund NOMINATED BY: Steve R. Soderlund NOMINATED BY: Steve@soderlundarchitecture.com Soderlund Architecture and Design, P.A. 19369 Colorado Cir	CURRENT MEMBER TYPE CODE GENDER HOME PHONE SEAT REQUIREMENT y: At-Large/Palm Beach County Board of County Commissioners Vacant Member General Contractor NOMINATED BY: David Woodside Member AA M 561-982-4000 Municipal Fire Representative dwoodside@mybooca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik Member CA M 561-753-2505 Building Official itomasik@wellingtonfl.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund Member CA M 954-260-3452 Architect Steve R. Soderlund Member CA M 954-260-3452 Architect	CURRENT MEMBER TYPE CODE GENDER HOME PHONE SEAT REQUIREMENT DATE y: At-Large/Palm Beach County Board of County Commissioners Vacant Member General Contractor General Contractor General Contractor 10/01/2016 Mondinated By: David Woodside Member AA M 561-982-4000 Municipal Fire Representative 10/01/2016 dwoodside@myboca.us City of Boca Raton/Fire Rescue Services 6500 Congress Ave Ste 200 Boca Raton FL 33487 NOMINATED BY: Jacek R. Tomasik Member CA M 561-753-2505 Building Official 05/19/2009 Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R. Soderlund - Member CA M 954-260-3452 Architect Steve@soderlundarchitecture, com Soderlund Architecture and Design, P.A. 19369 Colorado Cir	CURRENT MEMBER TYPE CODE SENDER HOME PHONE SEAT REQUIREMENT DATE DATE V: At-Large/Palm Beach County Board of County Commissioners Vacant Member Nominated BY: David Woodside Member AA M 561-982-4000 Municipal Fire Representative 10/01/2016 07/11/2017 Municipal Fire Representative 10/01/2016 07/11/2017 Modinated BY: Jacek R. Tomasik Jtomasik@wellingtonfil.gov Village of Wellington 12300 Forest Hill Blvd Wellington FL 33414 NOMINATED BY: Steve R- Soderlund Member CA M 954-250-3452 Architect Architecture and Design, P.A. 10/01/2018 Set At TeQUIREMENT DATE General Contractor Municipal Fire Representative 10/01/2016 07/11/2017

NOMINATED BY:

^{*} indicates a member having an action pending

5	Vacant	Member				Fire Sprinkler Contractor			/
	NOMINATED BY	:							
6	Roy S Pollack roy@staysafe.net	Member	CA	M	561-779-7199	Fire Alarm Contractor	10/01/2017	09/26/2017	09/30/2
	3212 Florence St Wellington FL 33414								
	NOMINATED BY	:							
7	Vacant	Member				Mechanical Engineer			1
	NOMINATED BY								
8	George T. Heisel georgeheisel@gmail.com	Member	CA	M	561-575-6845	Resident of Palm Beach County	10/01/2017		09/30/

3802 Captains Way Jupiter FL 33477 4082

NOMINATED BY:

* indicates a member having an action pending

Sec. 12-57. - Amendments to the Florida Fire Prevention Code.

- 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 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. 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. The Board shall be subject to the uniform policies and procedures established by the Board of County Commissioners as currently set forth in Resolution No. 2013-0193, as may be further amended by action of the Board of County Commissioners. All Board meetings shall be governed by Robert's Rules of Order. Board members shall be governed by the applicable provisions of the state Ethics Code and the applicable provisions of the Palm Beach County Code of Ethics.
- 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) Florida or Palm Beach County certified general contractor.
 - b. One (1) Palm Beach County municipal fire service representative.
 - c. One (1) Palm Beach County municipal building official.
 - d. One (1) registered architect.
 - e. One (1) certified fire sprinkler contractor.
 - f. One (1) certified fire alarm contractor.
 - g. One (1) registered engineer, practicing in the mechanical field.
 - h. One (1) citizen of Palm Beach County, not eligible under other membership categories.

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 no more than three (3) consecutive three (3) year terms. Any vacancy occurring during a term shall be filled for the unexpired portion of the term and shall not count towards the member's term limits. The member's terms shall begin on October 1 and end on September 30. Current members' terms shall expire on September 30 of the year in which their term expires.
- 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 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 AHJ 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(11), 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(11), Florida Statutes. In accordance with Section 553.73(11), 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(11), Florida Statutes.
 - b. To resolve conflicts between the building code and the fire code, in accordance with Section 553.73(11), 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(11), 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(11), 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(11), 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 633.208(3)(d), Florida Statutes, and in accordance with Section 1.7.21 of this Code; 2) hear and rule upon appeals from decisions of the AHJ relating to false alarms as set forth in Section 10.6.6 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.

(Ord. No. 98-29, §§ 1—5, 7-21-98; Ord. No. 00-5, § 1, 1-11-00; Ord. No. 01-101, App. A, 12-18-01; Ord. No. 04-073, § 1, App. A, 12-21-04; Ord. No. 08-045, § 1, App. A, 11-18-08; Ord. No. 2011-038, § 1(Exh. A), 12-20-11; Ord. No. 2014-002, § 1, 2-4-14; Ord. No. 2014-042, § 1(App. A), 12-16-14; Ord. No. 2017-043, § 1(App. A), 12-19-17)



Fire Rescue

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

Palm Beach County Board of County Commissioners

Melissa McKinlay, Mayor Mack Bernard, Vice Mayor

Hal R. Valeche

Paulette Burdick

Dave Kerner

Steven L. Abrams

Mary Lou Berger

County Administrator

Verdenia C. Baķer

"An Equal Opportunity Affirmative Action Employer"



To:

Melissa McKinlay, Mayor

Board of County Commissioners

From:

Michael Mackey, Administrator

Fire-Rescue Department

Date:

July 18, 2018

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 2017-043.

Each position on the Board is representative of a segment of the fire protection community. The following member's term will expire on September 30, 2018,

<u>Name</u>

Industry

Term

Jacek Tomasik

Building Official

3 years

Mr. Tomasik has agreed to remain on the Board if reappointed. He has completed training on the Palm Beach County Code of Ethics and has signed and acknowledged his training and understanding of the Guide to the Sunshine Amendment.

If you would like to nominate the above listed applicant, please sign the attached Board/Committee Application Form. If you would like to make a nomination for appointment or reappointment, please forward the information to the office of Larry Willhite, Division Chief, Bureau of Safety Services. Please submit your nominations by August 2, 2018.

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

Attachment:

Board/Committee Application Form

Member Resume Attendance Record

cc:

Larry Willhite, Division Chief

Nancy Bolton, Assistant County Administrator

PALM BEACH COUNTY FIRE RESCUE Bureau of Safety Service 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)

2018 MEETING SCHEDULE

Date	Room
January 17	Everglades Conference Room
February 21	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 19	Everglades Conference Room
October 17	Everglades Conference Room
November 21	Everglades Conference Room
December 19	Everglades Conference Room

- Meetings will be held, as needed, at Fire Rescue Headquarters, 2nd Floor Everglades Room indicated above and will begin at 9:00 a.m.
- Please contact Nicole Davis at 561-616-7030 if you are unable to attend.