

ORDINANCE NO. 92-34

AN ORDINANCE TO BE KNOWN AS THE HERNANDO COUNTY CODE FOR THE STORAGE AND HANDLING OF LIQUIFIED PETROLEUM GASES: PROVIDING FOR THE ADOPTION OF THE STORAGE AND HANDLING OF LIQUIFIED PETROLEUM GASES, 1989 EDITION (NFIPA 58-1989); PROVIDING FOR ADMINISTRATION; PROVIDING FOR ADDITION TO SECTION 3; PROVIDING FOR THE SEVERANCE OF PARTS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR VIOLATIONS, REMEDIES, AND PENALTIES; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF HERNANDO COUNTY, FLORIDA.

SECTION 1. ADOPTION OF STORAGE AND HANDLING OF LIQUIFIED PETROLEUM GASES, 1989 (NFIPA 58-1989) AS PROMULGATED BY NATIONAL FIRE PROTECTION ASSOCIATION

There is hereby adopted by the County of Hernando, Florida, for the purpose of providing a jurisdiction with requirements for the safe storage and handling of liquified petroleum gases, that certain code known as the Storage and Handling of Liquified Petroleum Gases, (NFIPA 58-1989), as recommended by the national Fire Protection Association, a nonprofit and nonpolitical organization with its principal offices in Quincy, Massachusetts, being particularly Chapter 1, Chapter 2, Chapter 3, Section 4.2, Subsection 5-2.2.1, Subsection 6-2.2.4, Appendix Section C-3.2, and Appendix I, of the 1989 Edition. The same is hereby adopted and incorporated herein as fully as if set forth in haec verba and from the date upon which this division shall take effect the provisions thereof, except as otherwise noted herein, shall be controlling in the safe storage and handling of liquified petroleum gases within the unincorporated areas of the County.

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DEPARTMENT OF COUNTY CLERK
TALLAHASSEE FLORIDA

SECTION 2. ADMINISTRATION

For the administration of NFIPA 58-1989, refer to the Standard Building Code, 1991 Edition, Chapter 1 - Administration, as modified by County Ordinance 92-25.

SECTION 3. ADDITION TO SECTION 3-2.3.1

Section 3-2.3.1 is hereby modified by adding Subsection "g" as follows:

3-2.3.1(g)

Minimum barricade standards for vehicular protection of L. P. Gas containers shall be three (3) feet deep, three (3) feet above ground, three (3) feet apart, three (3) inch steel pipe filled with concrete. Barricade shall be painted with a highly visible color to contrast with color of any adjacent building wall. PVC pipe or wood barricades shall be prohibited.

SECTION 4. SEVERANCE OF PARTS

Should any section, paragraph, sentence, phrase, clause or other part or provision of this ordinance be declared by any court to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared to be invalid.

SECTION 5. REPEALER CLAUSE

Upon the effective date of this ordinance, those previously enacted ordinances and amendments thereto which regulate the construction activities addressed by this ordinance, namely Hernando County Ordinance No. 91-07 and subsequent amendments thereto, are hereby repealed.

SECTION 6. VIOLATIONS, REMEDIES, AND PENALTIES

Any entity violating any provision of this ordinance shall be subject to the penalties provided for herein. The Director or his authorized representative shall issue notice to all

entities violating any provision of this ordinance and shall order that such violations cease. Should any entity fail to comply with such notice, or order, the Governing Body or its authorized official may institute appropriate action to bring such entity before a court of law for adjudication. Any entity violating any provision of this ordinance shall, upon conviction, be guilty of a misdemeanor and shall be fined or imprisoned or both fined and imprisoned, in accordance with the provisions of Chapter 125.69 of the Florida Statutes.

SECTION 7. INCLUSION IN THE CODE

It is the intention of the Board of County Commissioners of Hernando County, Florida, and it is hereby provided that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of Hernando County, Florida. To this end, the sections of this Ordinance may be renumbered or relettered to accomplish such intention, and that the word "ordinance" may be changed to "section", "article", or other appropriate designation.

SECTION 8. EFFECTIVE DATE

This ordinance shall become effective as provided by law.

ADOPTED in Regular Session this 22nd day of
December, 1992, A.D.

BOARD OF COUNTY COMMISSIONERS
HERNANDO COUNTY, FLORIDA

By *John Richardson*
JOHN RICHARDSON, CHAIRMAN

Attest *Michelle L. Huntsman*
KAREN NICOLAI, CLERK

