

1                   A bill to be entitled  
 2           An act relating to fire safety; amending s. 633.202,  
 3           F.S.; providing that the installation and maintenance  
 4           of an automatic fire sprinkler system in specified  
 5           nonresidential farm buildings is not required;  
 6           providing an effective date.

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 8   Be It Enacted by the Legislature of the State of Florida:

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 10           Section 1. Subsection (16) of section 633.202, Florida  
 11   Statutes, is amended to read:

12           633.202 Florida Fire Prevention Code.—

13           (16) (a) As used in this subsection, the term:

14           1. "Agricultural pole barn" means a nonresidential farm  
 15   building in which 70 percent or more of the perimeter walls are  
 16   permanently open and allow free ingress and egress.

17           2. "Nonresidential farm building" has the same meaning as  
 18   provided in s. 604.50.

19           (b) Notwithstanding any other provision of law:

20           1. A nonresidential farm building in which the occupancy  
 21   is limited by the property owner to no more than 35 persons is  
 22   exempt from the Florida Fire Prevention Code, including the  
 23   national codes and Life Safety Code incorporated by reference.

24           2. An agricultural pole barn is exempt from the Florida  
 25   Fire Prevention Code, including the national codes and the Life

26 Safety Code incorporated by reference.

27 3. Except for an agricultural pole barn, a structure on a  
28 farm, as defined in s. 823.14(3)(a), which is used by an owner  
29 for agritourism activity, as defined in s. 570.86, for which the  
30 owner receives consideration must be classified in one of the  
31 following classes:

32 a. Class 1: A nonresidential farm building that is used by  
33 the owner 12 or fewer times per year for agritourism activity  
34 with up to 100 persons occupying the structure at one time. A  
35 structure in this class is subject to annual inspection for  
36 classification by the local authority having jurisdiction. This  
37 class is not subject to the Florida Fire Prevention Code but is  
38 subject to rules adopted by the State Fire Marshal pursuant to  
39 this section.

40 b. Class 2: A nonresidential farm building that is used by  
41 the owner for agritourism activity with up to 300 persons  
42 occupying the structure at one time. A structure in this class  
43 is subject to annual inspection for classification by the local  
44 authority having jurisdiction. This class is not subject to the  
45 Florida Fire Prevention Code but is subject to rules adopted by  
46 the State Fire Marshal pursuant to this section.

47 c. Class 3: A structure or facility that is used primarily  
48 for housing, sheltering, or otherwise accommodating members of  
49 the general public. A structure or facility in this class is  
50 subject to annual inspection for classification by the local

51 authority having jurisdiction. This class is subject to the  
52 Florida Fire Prevention Code.

53 4. The installation and maintenance of an automatic fire  
54 sprinkler system in a nonresidential farm building, with  
55 attached living quarters separated from the nonresidential farm  
56 building by a firewall, is not required.

57 (c) The State Fire Marshal shall adopt rules to administer  
58 this section, including, but not limited to:

59 1. The use of alternative lifesafety and fire prevention  
60 standards for structures in Classes 1 and 2;

61 2. Notification and inspection requirements for structures  
62 in Classes 1 and 2;

63 3. The application of the Florida Fire Prevention Code for  
64 structures in Class 3; and

65 4. Any other standards or rules deemed necessary in order  
66 to facilitate the use of structures for agritourism activities.

67 Section 2. This act shall take effect July 1, 2017.