

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by the Miami-Dade County Fire Department, c/o Pedro Bas, Deputy Fire Marshal, on June 17, 2004. The following is a summary of the agency's disposition of the petition:

- A. Is it the intent of NFPA 1: 8-15.2.1 to require fire sprinkler protection in new storage occupancies that potentially will be storing combustible materials? No.
- B. If it is not the intent of NFPA 1: 8-15.2.1 to require fire sprinkler protection, does the A.H.J. have the authority to require such fire sprinkler protection in all new Storage occupancies that potentially will be storing combustibles? No.
- C. Is it the intent of NFPA 1: 1-9.4.1 and NFPA 1: 8-15.2.1 or 8-15.2.2 to require fire sprinkler protection when an existing building without fire sprinkler protection changes use from some other occupancy classification or sub-classification to a storage occupancy storing combustible materials? Yes, but only when the change in use or occupancy is actually made and when the storage of combustibles is consistent with subdivision 8-15.2.2 of NFPA 1.
- D. If it is not the intent of NFPA 1: 1-9.4.1 and NFPA 1: 8-15.2.1 or 8-15.2.2 to require fire sprinkler protection when an existing building without fire sprinkler protection changes use from some other occupancy classification or sub-classification to a storage occupancy storing combustible materials, does the A.H.J. have the authority to require such fire sprinkler protection? Not applicable, answered in 11.C., above.

A copy of the declaratory statement may be obtained in any of the following ways:

- 1. Write to, call or send a fax to Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, phone (850)413-3604, fax number (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
- 2. E-mail your request to mazzeog@doi.state.fl.us (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
- 3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website at <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

Section VIII
Notices of Petitions and Dispositions
Regarding the Validity of Rules

Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:

American Civil Liberties Union of Florida, Inc. (ACLU-FL), Southwest Voter Registration Education Project (SVREP), Common Cause Florida (CCF), Florida Southern Christian Leadership Conference Chapter (FSCLC) and the Florida Voters League, Inc. vs. Florida Department of State; Case No.: 04-2341RX, Rule No.: 1S-2.031(7)

Goode "Buddy" Yeoman vs. Department of Business and Professional Regulation, Construction Industry Licensing Board; Case No.: 04-2414RX; Rule No.: 61G4-12.006(2)

Lonny Ohlfest vs. Miami-Dade Community College, District Board of Trustees; Case No.: 04-2513RU

St. Petersburg Kennel Club, Inc., West Flagler Associates, Ltd., Associated Outdoor Clubs, Inc., Washington County Kennel Club, Inc., Daytona Beach Kennel Club, Inc. and Southwest Florida Enterprises, Inc. vs. Department of Business and Professional Regulation, Division of Pari-Mutuel Wagering; Case No.: 04-2470RU

Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:

NONE

Section IX
Notices of Petitions and Dispositions
Regarding Non-rule Policy Challenges

NONE

Section X
Announcements and Objection Reports of
the Joint Administrative Procedures
Committee

NONE