

A copy of the Declaratory Statement, Docket Number 2005030000, may be obtained by writing: Agency Clerk, Department of Business and Professional Regulation, Division of Florida Land Sales, Condominiums and Mobile Homes, 1940 North Monroe Street, Tallahassee, Florida 32399-2217.

The Board of Veterinary Medicine hereby gives notice that it has received a Petition for Declaratory Statement filed on behalf of Dr. Hansel Leavengood. The Petitioner seeks the Board's interpretation of the financial responsibility requirements set forth in Section 474.214(1)(k), Florida Statutes. The Board will consider this petition at its meeting scheduled for September 1, 2005, in St. Augustine, Florida.

Copies of the petition may be obtained by writing: Juanita Chastain, Executive Director, Board of Veterinary Medicine, 1940 North Monroe Street, Tallahassee, Florida 32399-0773.

DEPARTMENT OF ENVIRONMENTAL PROTECTION

Pursuant to Chapter 2003-145, Laws of Florida, all notices for the Department of Environmental Protection are published on the Internet at the Department of Environmental Protection's home page at <http://www.dep.state.fl.us/> under the link or button titled "Official Notices."

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed August 4, 2005, from Gainesville Fire Rescue, Petitioner. The Petition is seeking the Department's interpretation of the Florida Fire Prevention Code, NFPA 101, Subdivision 12.3.5.2(2). Specifically, Petitioner states that the local school board is planning to construct a new cafeteria/auditorium building at one of its school facilities. The school district has stated that the building will be used as the school's dining hall, with ancillary rooms to be used for a commercial kitchen, performing stage, storage, offices, and flammable hazards storage area. The Gainesville Fire Rescue Department and the Facilities Department of Alachua County Public Schools have both reviewed the plans for the building at issue. We do not agree on whether this building meets the conditions of NFPA 101, 12.3.5.2(2)* which states the conditions of 12.3.5.1 shall not apply to the following: "Assembly occupancies consisting of a single multipurpose room of less than 1115 m 2 (12,000 ft 2) that are not used for exhibition or display and are not part of a mixed occupancy." Petitioner asks:

1. Is this assembly occupancy considered a single multipurpose room?
2. Is this assembly occupancy considered part of a mixed occupancy?

3. Are rooms such as those ancillary rooms within the building being used in consistency with the intent of the code as explained in A12.3.5.2(2) relating to "certain small rooms as part of the single room," and in consistency with the additional explanation stated in the Life Safety Code Handbook
4. Based on the explanation given relating to this structure, is it required to have a fire sprinkler system?

A copy of the Petition may be obtained by writing to, calling or sending a fax to: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (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 case any question arises), or e-mail your request to: mazzeog@doi.state.fl.us.

**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:

NONE

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