

DEPARTMENT OF FINANCIAL SERVICES

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has declined to rule on the petition for declaratory statement filed by Leesburg Fire Department on November 26, 2008. The following is a summary of the agency’s declination of the petition:

The Petition poses the following question: Does building construction type, specifically IIIB, allow the waiver of the fire alarm system requirement in NFPA 101-31.3.4.1.1? Following a discussion of the application standard, the Declaratory Statement concludes that it is not the appropriate means for obtaining a policy statement of general applicability from an agency, citing Tampa Electric Company v. Florida Department of Community Affairs, 654 So.2d 998 (Fla. 1st DCA, 1995). The standard provides exceptions to the fire alarm system requirement in existing apartment buildings; however, the Petition does not allege sufficient facts to determine whether any of the exceptions apply. In accordance with the foregoing, and the statutes, rules and case cited therein, the Petition for Declaratory Statement herein is hereby DENIED.

A copy of the Order Declining of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, FL 32399-0340, or by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

NOTICE IS HEREBY GIVEN THAT the Department of Financial Services, Division of State Fire Marshal has issued an order disposing of the petition for declaratory statement filed by Frank McElroy, Petitioner on January 23, 2009. The following is a summary of the agency’s disposition of the petition:

The Petition was presented at the Florida Fire Code Advisory Council meeting on March 27, 2009 in St. Augustine, Florida. The affected condominium association presented its arguments through the association’s Vice President. Members of the public also spoke at the meeting. The Subject of the Petition is whether a fire alarm system is required in the subject structure which lacks a fire sprinkler system. The answer is yes, because the Life Safety Code, adopted by rule of the Department, requires the fire alarm system as a minimum requirement and the subject structure did not meet any of the exceptions for the requirement. The local fire authority is authorized to approve an alternative that provides an equivalent level of fire safety; however, an alternative was not proposed.

A copy of the Order Disposing of the Petition for Declaratory Statement may be obtained by contacting: Lesley Mendelson, Assistant General Counsel, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, or (850)413-4238, Fax: (850)922-1235 or (850)488-0697 (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 by e-mailing your request to: Lesley.Mendelson@myfloridacfo.com.

**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

**Section XI
Notices Regarding Bids, Proposals and
Purchasing**

DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES

INVITATION TO BID

As a Contractor, you are invited to submit a bid to the FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, hereinafter referred to as Owner, for the construction of a new office and storage facility at the Belle Glade Forestry Site, located at 2842 North Main Street, Belle Glade, Florida (3 miles North of Belle Glade on US 441), Palm Beach County, Florida. The Project Budget is estimated at: \$275,000.00.