

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**BOARD APPOINTMENT SUMMARY**

Meeting Date: July 11, 2023

Department: Fire Rescue

Advisory Board: Fire Code Board of Appeals and Adjustments

**I. EXECUTIVE BRIEF**

**Motion and Title:** Staff recommends motion to approve: One (1) appointment to the Fire Code Board of Appeals and Adjustments beginning July 11, 2023 through September 30, 2026.


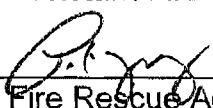
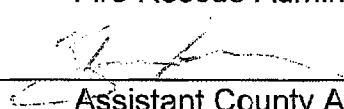
<u>Nominee</u>	<u>Category</u>	<u>Seat No.</u>	<u>Nominated By</u>
Peter LeDuc	Municipal Fire Rep.	3	Commissioner Marino Commissioner Barnett Commissioner Woodward

**Summary:** The Fire Code Board of Appeals and Adjustments is maintained in accordance with the Palm Beach County Local Amendments to the Florida Fire Prevention Code (Section 12-57, Palm Beach County Code). On March 13, 2023 a memo was distributed to the Commissioners requesting nominations to this eight (8) - member board (At-Large). This board is appointed by the Board of County Commissioners and members serve no more than three (3) consecutive three (3) year terms. Peter LeDuc, Fire Marshal for the City of West Palm Beach, was nominated. No other nominations were received. The Board consists of eight (8) members. Upon approval of this item, four (4) seats will be filled with a diversity count of Caucasian: 4 (100%) and African-American: 0 (0%), and a gender ratio (male: female) of 4:0. Staff will continue to address the need to increase diversity on our boards.  
**Countywide (RM)**

**Background and Justification:** The Fire Code Board of Appeals and Adjustments requires the appointment by the County Commission of individuals working in specific, related fields that are knowledgeable to make decisions on Fire Code appeals, and to make recommendations for changes to the Fire Code to the Board of County Commissioners and Fire Rescue. There are still vacant positions for the General Contractor, Seat 1, Architect, Seat 4, Fire Sprinkler Contractor, Seat 5, and Mechanical Engineer, Seat 7, and nominations are being pursued.

**Attachments:**

1. Board/Committees Application Form
2. Bio/Resume for Nominee
3. Current List of Board Members
4. Section 12-57 Amendments to the Florida Fire Prevention Code, Palm Beach County Code, subsection 1.10 Board of Appeals and Adjustments
5. Memo dated March 13, 2023 to Commissioners requesting nominations
6. Current meeting date schedule

Recommended by:	 Assistant Fire Chief	6-7-2023 Date
Approved by:	 Fire Rescue Administrator	5/31/2023 Date
Approved by:	 Assistant County Attorney	6/7/23 Date

**Attachment 1**  
**Board/Committees Application Form (6 pages)**

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. Please attach a biography or résumé to this form.

**Section I (Department): (Please Print)**

Board Name: Fire Code Board of Appeals and Adjustments Advisory  Not Advisory   
 At Large Appointment or  District Appointment /District #: \_\_\_\_\_  
 Term of Appointment: 3 Years. From: 2023 To: 2026  
 Seat Requirement: Municipal Fire Representative Seat #: 2

\*Reappointment or  New Appointment

or  to complete the term of \_\_\_\_\_ Due to:  resignation  other  
 Completion of term to expire on: \_\_\_\_\_

\*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: \_\_\_\_\_

**Section II (Applicant): (Please Print)**

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: Leduc Peter Michael  
Last First Middle  
 Occupation/Affiliation: Fire Marshal - Division Chief

Owner  Employee  Officer

Business Name: West Palm Beach Fire Department  
 Business Address: 500 N. Dixie Hwy.  
 City & State: West Palm Beach, FL Zip Code: 33401

Residence Address: 5205 Congress Ave #141  
 City & State: Boca Raton FL Zip Code: 33487

Home Phone: N/A Business Phone: (561) 804-4709 N/A  
 Cell Phone: (561) 312-1021 Fax: (561) 804-41774

Email Address: pleduc@wpb.org

Mailing Address Preference:  Business  Residence

Have you ever been convicted of a felony: Yes \_\_\_\_\_ No   
 If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Native-American  Male  Hispanic-American  Female  Asian-American  African-American  Caucasian

**Section II Continued:**

**CONTRACTUAL RELATIONSHIPS:** Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business. This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Example: (R/XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE



NOT APPLICABLE/  
(Governmental Entity)



**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment, Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Ethics training is on-going, and pursuant to PPM CW-P-79 is required before appointment, and upon reappointment.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

By watching the training program on the Web, DVD or VHS on 2-22 2023  
 By attending a live presentation given on \_\_\_\_\_, 20\_\_\_\_

**AND**

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

\*Applicant's Signature: *Peter Hedue* Printed Name: Peter Hedue Date: 2.22.23

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website [www.palmbeachcountyethics.com](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 355-1915.

Return this FORM to:  
{Insert Liaison Name Here}, {Insert Department/Division Here}  
{Insert Address Here}

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on:

Commissioner's Signature: *Maura G. Mauer* Date: 3/28/23

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 02/01/2016

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
BOARDS/COMMITTEES APPLICATION**

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Name: Ledue Peter Michael  
Last First Middle  
Occupation/Affiliation: Fire Marshal - Division Chief  
Owner  Employee  Officer   
Business Name: West Palm Beach Fire Department  
Business Address: 500 N. Dixie Hwy.  
City & State: West Palm Beach FL Zip Code: 33401  
Residence Address: 5205 Congress Ave #141  
City & State: Boca Raton FL Zip Code: 33497  
Home Phone: N/A Business Phone: 601 804-4709 N/A  
Cell Phone: 601 312-1021 Fax: 601 804-4774  
Email Address: pledue@wph.org  
Mailing Address Preference:  Business  Residence  
Have you ever been convicted of a felony: Yes \_\_\_\_\_ No   
If Yes, state the court, nature of offense, disposition of case and date: \_\_\_\_\_

Minority Identification Code:  Male  Female  Native-American  Hispanic-American  Asian-American  African-American  Caucasian

**Section II Continued:**

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{Insert Address Here}

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Appointment to be made at BCC Meeting on:

Commissioner's Signature: *Mackenna Bent* Date: 3/29/2023

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Revised 02/01/2016

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 Mailing Address Preference:  Business  Residence  
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(Insert Address Here)

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on:

4/4/23

Commissioner's Signature:

*Mavis Woodward*

Date:

3/27/23



**Attachment Z**  
**Bio/Resume for Nominee (2 pages)**

**PETER M. LEDUC**

5205 Congress Ave # 141  
Boca Raton, Florida 33487  
(561) 312-1021

**Professional Fire Administrator**

Administration Professional / State of Florida Certified Firefighter with 35 years of dedicated public service with the City of Riviera Beach Fire Rescue retiring as their Fire Chief and Acting Fire Marshal in September of 2012, Chief Fire Official Broward College, Life Safety Inspector with the Broward Sheriff's Office, and Chief Fire Prevention Officer, Fire Marshal City of West Palm Beach Fire Department.

**AREAS OF SPECIFIC SPECIALIZATION**

- \* Managerial accounting/budgeting
- \* Public/community relations
- \* Policy/procedure development
- \* Total quality management
- \* Highest ethical standards
- \* Acting Fire Marshal, 8 ½ years
- \* Life Safety Plan Review, 8 ½ years
- \* Life Safety Fire Code Research
- \* Fire and Life Safety Inspections
- \* Community Presentations
- \* Senior level decision-making
- \* QA data analysis
- \* Training and development
- \* Resource/cost management
- \* Fire/EMS grant acquisition
- \* Public Speaking
- \* RFP Development
- \* Word, Excel and PowerPoint
- \* Fire Investigations
- \* Labor relations experience

**CAREER HIGHLIGHTS**

CITY OF RIVIERA BEACH FIRE RESCUE	Jan 1988 – Sept 2012
BROWARD COLLEGE	Oct 2012 - Nov 2012
BROWARD SHERIFF'S OFFICE	Nov 2012 - July 2013
CITY OF WEST PALM BEACH FIRE DEPT.	Aug 2013 - Present

Planned, organized, and directed activities related to fire suppression, fire prevention, emergency medical services, and EMS transportation. Responsible for the administration, supervision, and operation of emergency services. Developed, executed and maintained a \$12 million Fire/EMS Operating Budget. Managed and directed the Fire Prevention Bureau, completed Life and Fire Safety building plan review, Fire Code compliance and research, and business and new construction inspections. Organized and directed the planning, coordination, and delivery of departmental training programs. Ensured compliance with governing standards. Continually evaluated and enhanced departmental performance and efficiency. Analyzed data and benchmarked data against accepted norms and internal/external organizations. Worked in harmony with directives from the City Manager and Fire Chief.

- Manage and supervise the Bureau of Fire Prevention in West Palm Beach.
- Manage and supervise fire investigation.
- Completed Life and Fire Safety building plan reviews.
- Organized and developed the business inspection policy to enhance efficiency and effectiveness.
- Increased EMS transportation and Fire Inspection billing revenue by maximizing service fee's through comparative organizational analysis, quality assurance review, and new vendor review.

**Career Highlights – Continued:**

- Developed departmental compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) and the protection of individual/patient health information.
- Revised the EMS standing operational procedure manual with the Medical Director.
- Successfully procured EMS grant funding through State/ County programs.
- Successfully procured funding/training from the American Heart Association.
- Successfully procured funding through the Assistance to Firefighters Grant program.
- Implemented the departmental paramedic preceptor program for the training and development of new paramedics.
- Implemented a new EMS supply inventory program, reducing overstock and controlling budgetary spending.
- CPR coordinator and oversight City Staff/Community CPR programs.
- Built the portable fire prevention “puppet house” and participants in community educational opportunities, puppet shows and other programs.
- Master of ceremonies of Riviera Beach’s Fire Rescue Annual Safety Fair, 10 years.
- Instructor for the American Lung Association “Open Airways” asthma and “Bizzy Bubbles” secondhand smoke programs for our local community schools.
- A keynote speaker representing Fire Rescue at the American Lung Association 9/11 fund raiser at the Kravis Center, 2001.
- A keynote speaker representing Fire Rescue at the American Lung Association 9/11 anniversary event at Roger Dean Stadium, 2002
- American Heart Association Operation Heartbeat Committee Member, 2001, 2002
- American Heart Association Heart Walk Volunteer, 2001, 2002, and 2003 Heart Walk Committee Member.
- Served as Emergency Medical Services Division Chief 2000-2004
- Acting Fire Marshal, 2004 – 2012.
- Served as the Vice-Chairman, Palm Beach Community College Partnership Council, 2004-2006
- Served as the Chairman, Palm Beach Community College Partnership Council, 2006-2007
- Served as the Chairman, Palm Beach County EMS Grant Review Committee, 2004-2006
- Served as Vice-President, Palm Beach County Fire Marshals Association, 2010- 2011
- Served as President of the Palm Beach County Fire Marshals Association, 2013-2015
- Served as President of the Palm Beach County Fire Marshals Association, 2016-2018
- Served as Vice President of the Palm Beach County Fire Marshals Association, 2019-2020
- Served as 2<sup>nd</sup> Vice President of the Palm Beach County Fire Marshals Association, 2020-2022
- Serving as 1<sup>st</sup> Vice President of the Palm Beach County Fire Marshals Association, 2023-Current

**SUMMARY OF PRIOR POSITIONS HELD:**

<b>Fire Fighter</b>	<b>1/88 - 10/93</b>
<b>Driver Engineer</b>	<b>10/93 - 7/97</b>
<b>EMS Lieutenant</b>	<b>7/97 - 12/99</b>
<b>Fire Captain</b>	<b>12/99 - 3/00</b>
<b>Division Chief of EMS</b>	<b>3/00 - 1/04</b>
<b>Deputy Fire Chief</b>	<b>1-04 – 8/10</b>
<b>Interim Fire Chief</b>	<b>9/10 – 3/12</b>
<b>Fire Chief</b>	<b>3/12 – 9/12</b>
<b>Chief Fire Official</b>	<b>10/12 - 11/12</b>
<b>Life Safety Inspector</b>	<b>11/12 – 7/13</b>
<b>Division Chief /Fire Marshal</b>	<b>8/13 - Present</b>

<b>EDUCATION &amp; TRAINING</b>
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<b>SOUTH GEORGIA COMMUNITY COLLEGE</b> , Douglas, Georgia	1978 - 1980
<b>SOUTH TECHNICAL EDUCATIONAL CENTER</b> , Boynton Beach Emergency Medical Technician Course Completion	1990
<b>PALM BEACH COMMUNITY COLLEGE</b> , Lake Worth, Florida Paramedic Course Completion	1992 - 1993
<b>PALM BEACH COMMUNITY COLLEGE</b> , Lake Worth, Florida Associate in Science Degree and Emergency Medical Services Management	1991 - 2004
<b>PALM BEACH COMMUNITY COLLEGE</b> , Lake Worth, Florida (Currently enrolled to complete various professional continuing educational courses) Peter M. LeDuc Page Three	2001 - 2010

Education & Training -- Continued:

<b>Florida Atlantic University</b> , Palm Beach Gardens Campus Bachelor Degree course work	2004 -- 2007
<b>Barry University</b> Bachelor of Public Administration	2007- 2010

DEGREES

<b>Associate In Science</b> Emergency Medical Services Management, Supervisory Track Palm Beach Community College	2001
<b>Associate In Science</b> Fire Science Technology Palm Beach Community College	2004
<b>Bachelor of Public Administration</b> Barry University	2010

STATE OF FLORIDA CERTIFICATIONS:

Emergency Medical Technician	1990 - Present
Paramedic	1993 - 12/2014
Municipal Fire Safety Inspector	2002 - Present

ORGANIZATIONAL MEMBERSHIPS

Palm Beach County Fire Chiefs Association	2000 - Present
Palm Beach County Fire Marshals & Inspectors Association	2003 - Present
Florida Fire Marshal's & Inspectors Association	2004 - Present
National Fire Prevention Association, NFPA	2004 - Present

**Peter M. LeDuc**  
**Page Four**

**Organizational Memberships – Continued:**

International Association of Fire Chiefs	2006 - 2013
Southeastern Association of Fire Chiefs	2006 - 2012
International Association of Arson Investigators	2008 - Present

**CERTIFICATIONS**

Healthcare Provider, Professional CPR	11/2021
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**Attachment 3**  
**Current List of Board Members (3 pages)**



**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
SPECIFIC BOARD MEMBERS  
FIRE CODE BOARD OF APPEALS & ADJUSTMENTS**

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE COD	GENDER	BUSINESS / HOME	SEAT REQUIREMENT	APPOINTE D DATE	REAPPOINTED DATE	EXPIRATION DATE
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**Appointed By : At-Large/Palm Beach County Board of County Commissioners**

1	Vacant	Member				General Contractor			/
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**NOMINATED BY :**

2	Vacant	Member				Municipal Fire Representative			10/27/2021
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**NOMINATED BY :**

3	Roger C. Held rogerh@jupiter.fl.us Town of Jupiter 210 Military Trl Jupiter FL 33458	Member	CA	M	561-741-2669	Building Official	04/04/2023		04/30/2026
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**NOMINATED BY :**

\* indicates a member having an action pending



**PALM BEACH COUNTY  
 BOARD OF COUNTY COMMISSIONERS  
 SPECIFIC BOARD MEMBERS  
 FIRE CODE BOARD OF APPEALS & ADJUSTMENTS**

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE COD	GENDER	BUSINESS / HOME	SEAT REQUIREMENT	APPOINTE D DATE	REAPPOINTED DATE	EXPIRATION DATE
<b>Appointed By : At-Large/Palm Beach County Board of County Commissioners</b>									
4	Vacant	Member				Architect			

**NOMINATED BY :**

5	John P Duffin johnd@waynefire.com Wayne Automatic Sprinklers, Inc. 1500 Powerline Rd Ste A Deerfield Beach FL 33442	Member	CA	M	--	Fire Sprinkler Contractor	08/25/2020		09/30/2023
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**NOMINATED BY :**

6	Anthony Caliendo TC@knightcorporations.com Knight Fire & Security 7513 Central Industrial Dr Riviera Beach FL 33404	Member	CA	M	--	Fire Alarm Contractor	04/04/2023		04/30/2026
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**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS  
SPECIFIC BOARD MEMBERS  
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<b>Appointed By : At-Large/Palm Beach County Board of County Commissioners</b>									
7	Vacant	Member				Mechanical Engineer			/

**NOMINATED BY :**

8	Martin Perrone	Member	CA	M	--	Resident of Palm Beach County	04/04/2023		04/30/2026
	7855 Willow Spring Dr Apt 715 Lake Worth FL 33467								

**NOMINATED BY :**

\* indicates a member having an action pending

**Attachment 4**

**Section 12-57 Amendments to the Florida Fire Prevention Code, Palm Beach County  
Code, subsection 1.10 Board of Appeals and Adjustments (4 pages)**

**Sec. 12-57 Amendments to the Florida Fire Prevention Code.**

**1.10 Fire Code Board of Appeals.** Section 10.1 is amended and replaced in its entirety to read as set forth herein.

**1.10.1 Fire Code Board of Appeals Created.** There is hereby created a Fire Code Board of Appeals, herein after referred to as the "Fire Code Board", consisting of eight (8) members who are qualified by training and experience to vary the application of the provisions of this Code, and act on related matters, and to perform such other duties as established herein. The Board shall be appointed by the Board of County Commissioners. All members must reside within Palm Beach County at the time of appointment and while serving on the Fire Code Board and shall be qualified electors of Palm Beach County. The Fire Code Board shall adopt rules and regulations for conducting its business. The AHJ shall designate a representative to act as Secretary to the Fire Code Board. Public Notice of all Fire Code Board meetings shall be provided. All Fire Code Board meetings shall be open to the public and shall comply with the applicable requirements of the Florida "Government in the Sunshine" and "Public Records" laws. Minutes shall be taken at each meeting. The Fire Code Board shall be subject to the uniform policies and procedures established by the Board of County Commissioners as currently set forth in Resolution No. 2013-0193, as may be further amended by action of the Board of County Commissioners. All Fire Code Board meetings shall be governed by Robert's Rules of Order. Fire Code Board members shall be governed by the applicable provisions of the state Ethics Code and the applicable provisions of the Palm Beach County Code of Ethics.

**1.10.1.1 Membership.** The membership of the Fire Code Board of Appeals shall be as follows:

1. One (1) Florida or Palm Beach County certified general contractor.
2. One (1) Palm Beach County municipal fire service representative.
3. One (1) Palm Beach County municipal building official.
4. One (1) registered architect.
5. One (1) certified fire sprinkler contractor.
6. One (1) certified fire alarm contractor.
7. One (1) registered engineer, practicing in the mechanical field.
8. One (1) citizen of Palm Beach County, not eligible under other membership categories.

Where a member is required to be registered or certified, same shall be issued by the State of Florida unless otherwise specified.

**1.10.1.1.1 Term.** The members shall serve no more than three (3) consecutive three (3) year terms. Any vacancy occurring during a term shall be filled for the unexpired portion of the term and shall not count towards the member's term limits. The member's terms

shall begin on October 1 and end on September 30. Current members' terms shall expire on September 30 of the year in which their term expires.

**1.10.1.1.2 Removal/Absences.** All members shall be subject to the rules, adopted by the Board of County Commissioners, governing Board participation and attendance.

**1.10.1.1.3 Vote Calculation.** Each member shall have a full vote.

**1.10.1.1.4 Chair.** The Fire Code Board shall select one of its members to serve as chair and one member to serve as vice chair.

#### **1.10.2 Review of Code.**

**1.10.2.1 Recommendations to the Board of County Commissioners.** The Fire Code Board shall review this Code and make recommendations, in the form of specific amendments, to the Board of County Commissioners for corrections, additions, substitutions or deletions to said Code for the purposes of clarification, applicability, public safety, and changes in technology, so as to maintain this Code as an effective and responsive document.

**1.10.2.2 Fire Code Advisory Board.** When sitting solely in its advisory capacity, the Fire Code Board shall be known as the Fire Code Advisory Board and shall be composed of the same members as the Fire Code Board. Persons appointed to the Fire Code shall be deemed to be likewise appointed to the Fire Code Advisory Board.

#### **1.10.3 Appeals**

**1.10.3.1 Means of Appeal.** Whenever it is claimed that the provisions of this Code do not apply or have been misapplied, or when it is claimed that the true intent and meaning of this Code or any of the regulations there under have been misconstrued or misapplied, or when it is claimed that a decision is unreasonable or arbitrary as it applies to alternatives, the owner or his duly authorized agent may appeal the decision of the AHJ to the Fire Code Board of Appeals. Notice of appeal shall be in writing and filed with the AHJ within thirty (30) days after the decision is rendered by the AHJ. Appeals shall be on forms provided by the AHJ.

#### **1.10.3.2 Procedures on Appeal.**

**1.10.3.2.1 Hearing.** Upon receipt of the notice of appeal by the AHJ, a hearing shall be held at the next regularly scheduled meeting of the Fire Code Board, with notice to the appellant, the AHJ, and the members of the Fire Code Board, at least five (5) working days' prior to said hearing. Special meetings may also be called by the Board provided that five (5) working day notice is given to both parties. If the applicant requires a special meeting to be called, the appeal fee shall be One Hundred Dollars (\$100.00). Both the appellant and the AHJ, or their representatives, shall attend the hearing and

may present evidence at same. The Fire Code Board shall consider each appeal on its own merits and shall base its decision only on the evidence presented at said hearing.

**1.10.3.2.2 Fire Code Board Action.** The Fire Code Board, upon an affirmative vote of a majority of the votes present, shall either 1) affirm the decision of the AHJ; 2) modify the decision of the AHJ; or 3) reverse the decision of the AHJ and affirm the appellant's position. The Board's decision, with the reasons therefore, shall be transcribed in writing and a copy shall be mailed, by certified mail, to the appellant, within ten (10) days after the hearing. All such decisions shall be final, subject to judicial review as provided by law.

**1.10.3.2.3 Tie Vote.** In the event the Fire Code Board is deadlocked in a tie vote, the appellant may request the Fire Code Board to defer final action until the next regular meeting date or a specific date certain. The appellant shall be entitled to one (1) such deferral as of right. The matter shall be deferred and heard de novo, unless the majority then present at the time deferral is requested vote for the matter to be determined upon the record only at the upcoming hearing after deferral.

### **1.10.3.3 Decisions.**

**1.10.3.3.1** The Fire Code Board shall provide for reasonable interpretation of the provisions of this Code and rule on appeals from decisions of the AHJ. The Fire Code Board may approve an equivalent alternative in accordance with Section 1.4 of this Code.

**1.10.3.3.2 Action.** The Fire Code Board shall, in every case, reach a decision without unreasonable or unnecessary delay. If a decision of the Fire Code Board reverses or modifies a refusal, order, or disallowance of the AHJ, the AHJ shall immediately take action in accordance with such decision.

**1.10.3.3.3 AHJ Order Stayed, Exception.** Pending the disposition of an appeal scheduled for hearing, the order or decision of the AHJ sought to be appealed shall be stayed unless the AHJ certifies under oath, based upon available data, that an extreme danger to life or property exists, warranting immediate compliance under this Code. Said certification must be included in the order and be filed with the Fire Code Board within ten (10) days after the notice of appeal is filed.

### **1.10.4 Conflict Resolution.**

**1.10.4.1** Any conflict between the Florida Building Code and the Florida Fire Prevention Code and Life Safety Code as applied to a specific project shall be resolved in accordance with Section 553.73(11), Florida Statutes.

**1.10.4.2** The Fire Code Board is hereby designated and authorized to perform the local administrative board functions set forth in Section 553.73(11), Florida Statutes. In

accordance with Section 553.73(11), Florida Statutes, the duties and functions of the Fire Code Board shall include the following:

1. To hear and render decisions in appeals of conflict decisions made jointly by the local AHJ and the local building official, in accordance with Section 553.73(11), Florida Statutes.
2. To resolve conflicts between the building code and the fire code, in accordance with Section 553.73(11), Florida Statutes, in those instances where the local AHJ and the local building official are unable to agree on a resolution of said conflict.

**1.10.4.3** If the County has, or does, designate another local board to perform the functions set out in Section 553.73(11), Florida Statutes, then said board and the Fire Code Board shall rotate the duty to fulfill the functions as set forth in this Section 1.10.4 and in Section 553.73(11), Florida Statutes, on an annual basis or as otherwise agreed to by the AHJ and the local building official.

**1.10.4.4** Any conflict between the Building Code and the Fire Code that involves the County's local amendments to either Code shall likewise be resolved in the manner set forth in Section 553.73(11), Florida Statutes, and this Section 1.10.4.

**1.10.5 Additional Powers and Functions.** The Fire Code Board is hereby authorized and empowered to: 1) hear and rule upon appeals from orders of the AHJ in Local Amendment challenges brought pursuant to Section 633.208(3)(d), Florida Statutes, and in accordance with Section 1.7.21 of this Code; 2) hear and rule upon appeals from decisions of the AHJ relating to false alarms as set forth in Section 10.6.6 of this Code; 3) perform any other functions authorized for the Fire Code Board by this Code.

**1.10.6 Fireworks Board of Appeals.** The members of the Fire Code Board shall serve ex-officio as members of the Fireworks Board of Appeals and perform the functions of that Board, all as set forth in Chapter 12, Article III of the Palm Beach County Code, as it may be amended from time to time.

**1.10.7 Conduct of Quasi-Judicial Hearings.** Whenever the Fire Code Board is acting in a quasi-judicial capacity, the County's Procedures for Conduct of Quasi-Judicial Hearings shall apply, as set forth in Resolution 2018-0198, as may be amended from time to time, to the extent not inconsistent with this Section 1.10 or other legal requirements.

**1.10.8** Any decision of the Fire Code Board shall be final and reviewable in the manner prescribed by law.

**Attachment 5**

**Memo dated March 13, 2023 to Commissioners requesting nominations (1 page)**



**Fire Rescue**  
Chief Patrick J. Kennedy  
405 Pike Road  
West Palm Beach, FL 33411  
(561) 616-7000  
www.pbcgov.com

**Palm Beach County  
Board of County  
Commissioners**

Gregg K. Weiss, Mayor  
Maria Sachs, Vice Mayor

Maria G. Marino  
Michael A. Barnett  
Marci Woodward  
Sara Baxter  
Wack Bernard

**County Administrator**  
Verdenia C. Baker

"An Equal Opportunity  
Affirmative Action Employer"

**Date:** March 13, 2023

**To:** Greg K. Weiss, Mayor  
Board of County Commissioners

**From:** Patrick J. Kennedy, Fire Administrator  
Fire-Rescue Department

**Subject:** Fire Code Board of Appeals and Adjustments

The Fire Code Board of Appeals and Adjustments is an advisory board appointed by the County Commission to review the Fire Code, hear appeals, and make recommendations to the Commission on fire and life safety issues. This Board, established in 1984, is required by the County Fire Code, Palm Beach County Ordinance 2020-027.

Each position on the Board is representative of a segment of the fire protection community. I would like to appoint the following member to the Palm Beach County Municipal Fire Representative position.

Name	Industry	Term
Peter LeDuc	Municipal Fire Representative	3 years

Mr. LeDuc has agreed to fill this position. He understands the requirements and responsibilities of holding this seat. Mr. LeDuc has completed training on the Palm Beach County Code of Ethics and has signed and acknowledged his training and understanding of the Guide to the Sunshine Amendment.

If you would like to nominate the above listed applicant, please sign the attached Board/Committee Application Form. If you would like to make a nomination for appointment of this position, please forward the information to the office of David DeRita, Division Chief, Community Risk Reduction Division. Please submit your nominations by April 14, 2023.

Thank you for your interest and assistance in this appointment process. If you should have any questions, please contact David DeRita at 616-7031, or my office at 616-7001.

**Attachments:** Board/Committee Application Form  
Member Resume

**cc:** Reginald K. Duren, Assistant County Administrator  
David DeRita, Division Chief



**Attachment 6**

**Current meeting date schedule (1 page)**



**Palm Beach County Fire Rescue**  
**405 Pike Rd. West Palm Beach, FL 33411**  
**Fire Code Board of Appeals and Adjustments**



**Meeting Schedule**

\*All Meeting are scheduled to take place at Fire Rescue Headquarters\*

Date	Time	Room
Wednesday, May 17, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, June 21, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, July 19, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, August 16, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, September 20, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, October 18, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, November 15, 2023	10:00 AM – 12:00 PM	Everglades Room
Wednesday, December 20, 2023	10:00 AM – 12:00 PM	Everglades Room