

**ORDINANCE NO. 17-028**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE PROVISIONS OF FORT PIERCE CODE OF ORDINANCES **CHAPTER 5, ARTICLE XIII, SECTION 5-367** TO PROVIDE FOR **SECURING VACANT STRUCTURES** UTILIZING CLEAR POLYCARBONATE MATERIAL; ADDING CHAPTER 5, ARTICLE XIII, SECTION 5-369 **CLEAN AND SAFE COMMUNITY INITIATIVE**; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the City Commission of the City of Fort Pierce, Florida adopted Ordinance 16-025 thereby adopting the International Property Maintenance Code in January 2017 in an effort to address property maintenance deficiencies including the declaration of unsafe structures and systems; and

**WHEREAS**, the Code of Ordinances of the City of Fort Pierce provide for the removal of any building, structure or system that has been declared unsafe; and

**WHEREAS**, the City Commission of the City of Fort Pierce finds it necessary to take appropriate action to abate such unsafe conditions thus reducing the effect of slum and blight in the neighborhood; and

**NOW THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fort Pierce, Florida:

**SECTION 1.** Sec. 5-367 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read thereafter as follows:

**Sec. 5-367. Vacant buildings.**

The owner of a vacated building, whether a dwelling unit, business premises, or accessory structure, shall take such steps and perform such acts as may be required from time to time to ensure that the building and its adjoining yards remain safe, secure, clean and sanitary, and do not present a hazard to adjoining properties or to the public. All openings, including doors and windows, ~~which are~~ shall be covered or closed for access and shall be provided with painted exterior-grade plywood closures, matched in color to the building, or covered utilizing a clear polycarbonate material unless the same are provided with awnings, storm panels, or other similar commercially available products designed for this intended use and installed in a workmanlike manner.

**SECTION 2.** Sec. 5-369 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby added so that the same shall read thereafter as follows:

Sec. 5-369. ~~Reserved.~~ Clean and Safe Community Initiative.

A) In an effort to curb the onslaught of blighted conditions throughout the community, the City has created a Clean and Safe Community Initiative. The Clean and Safe Community Initiative is intended to provide direct remediation of structures and systems that create a hazard to the life, health and safety of the community, contribute to an increase in criminal activity and overall reduce property values and community pride. Such structures or systems shall be declared unsafe and be condemned in compliance with the International Property Maintenance Code as adopted and referenced in Sec. 5-364. Remediation of any structure or system declared unsafe and condemned shall include, but is not limited to, the removal and demolition of the structure or other abatement measures in accordance with Sec. 16-49 – Sec. 16-51.

B) To provide funding for the Clean and Safe Community Initiative there shall be created a Clean and Safe Community Fee. The fee shall be set by Resolution as approved by the City Commission.

C) The Clean and Safe Community Initiative shall expire on 9/30/2020, unless prior to that date the City Commission, after conducting public hearings, finds that the purpose of this program has not yet been achieved, in which case it may extend the effective period of this program for an additional three years.

**SECTION 3.** The provisions of this Ordinance are declared to be severable and if any section, sentence, clause, or phrase of this Ordinance shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

**SECTION 4.** All Ordinances or parts of Ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

**SECTION 5.** This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM & CORRECTNESS:

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James M. Messer, Esq.,  
City Attorney

STATE OF FLORIDA

COUNTY OF ST. LUCIE

**WE, THE UNDERSIGNED**, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No.17-028 was duly advertised by title only in the St. Lucie News Tribune on August 25, 2017; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said Ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on September 5, 2017; and was duly introduced, read by title only, and passed on second and final reading September 18, 2017 by the City Commission of the City of Fort Pierce, Florida.

**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 18th day of September, 2017.

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Linda Hudson,  
Mayor Commissioner

**ATTEST:**

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Linda W. Cox,  
City Clerk

**(City Seal)**