

ORDINANCE NO. 18-004

**AN ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA,
AMENDING THE EFFECTIVE DATE OF CITY ORDINANCE 16-018;
PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City adopted Ordinance 16-018 on September 19, 2016, which was intended to retroactively correct certain scrivener's errors contained in Ordinance L-295;

WHEREAS, in accordance with Middlebrooks v. Department of State, Div. of Licensing, 565 So. 2d (Fla. 1st DCA 1990), the Fort Pierce City Commission finds it necessary to amend Ordinance 16-018 to clearly provide for retroactive effect nunc pro tunc to the date that Ordinance L-295 was adopted on November 4, 2013.

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

SECTION 1. Ordinance No. 16-018 is hereby amended so that the same shall become effective retroactively, nunc pro tunc, to November 4, 2013, the effective date of Ordinance L-295.

SECTION 2. 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 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.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 4. This Ordinance is and the same shall become effective immediately upon final passage retroactive to September 19, 2016, nunc pro tunc.

APPROVED AS TO FORM
& CORRECTNESS:

James M. Messer
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)^{SS}

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.18-004 was duly advertised accordance with F.S. 166.041 by display advertising in the St. Lucie News Tribune on January 21st, 2018 and on February 1st, 2018; 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 February 5th, 2018; and was duly introduced, read by title only, and passed on second and final reading on February 20th, 2018, 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 20th day of February, 2018.

Linda Hudson,
Mayor Commissioner

Linda W. Cox,
City Clerk

(CITY SEAL)