

ORDINANCE NO. 19-004

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING CHAPTER 5, ARTICLE IV** OF THE CODE OF ORDINANCES ENTITLED "**BUILDING DRAINAGE**"; AMENDING SECTION 5-94, TO AMEND REFERENCED SECTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on February 6, 2012, there was adopted Ordinance L-245 which ordinance among other things created Chapter 5, Article X(A) titled "Flood Hazard Zones"; and

WHEREAS, section 6 of the ordinance stated "All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever."; and

WHEREAS, Ordinance L-245 inadvertently failed to include the change to Section 5-94 amending the referenced sections of the flood hazard areas.

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

SECTION 1. Chapter 5, Article IV, Sec 5-94, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-94. – Flood hazard areas

All plans and building permits, and other permits, must be in compliance with flood hazard provisions contained in ~~sections 22-4, 22-41, 22-64(7), 22-84(6), 22-85(1), and 22-09 of this Code.~~ Chapter 5, Article X(A), titled "Floodplain Management".

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 All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.

SECTION 4. This ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
AND CORRECTNESS:

Peter J. Sweeney
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. 19-004 was duly advertised by title only in the St. Lucie News Tribune on February 20, 2019; 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 March 4, 2019; and was duly introduced, read by title only, and passed on second and final reading on Monday, March 18, 2019, 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 March, 2019.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)