

ORDINANCE NO. 19-010

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING CHAPTER 5, ARTICLE I**, OF THE CODE OF ORDINANCES ENTITLED "**BUILDING CODE**", SECTIONS 5-1.102.9, 5-1.103.3 AND 5-1.103.5 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; AMENDING SECTION 5-1.140 BY ABOLISHING THE FORT PIERCE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS, PROVIDING FOR APPEAL RIGHTS PURSUANT TO FLORIDA STATE STATUTE; REPEALING SECTIONS 5-1.140.1 THROUGH 5-1.140.6.2; **AMENDING CHAPTER 5, ARTICLE VII ENTITLED "PERMIT FEES"**, SECTION 5-268 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; **AMENDING CHAPTER 5, ARTICLE XIII ENTITLED "PROPERTY MAINTENANCE AND HOUSING CODE"**, SECTION 5-365 TO EXCLUDE APPEAL PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND SUBSTITUTING THE RIGHT TO A HEARING PROCESS THEREIN; **AMENDING CHAPTER 15 ENTITLED "SIGNS AND BILLBOARDS"**, SECTION 15-8 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; AMENDING VARIOUS PROVISIONS FOR GRAMMATICAL CORRECTNESS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Code of Ordinances of the City of Fort Pierce, Florida established the Construction Board of Adjustment and Appeals; and

WHEREAS, the City of Fort Pierce, Florida has also utilized two special magistrates to preside over municipal hearings since 2000; and

WHEREAS, the Florida Building Commission and special magistrates of the City of Fort Pierce, Florida have the ability to handle matters heard by the Construction Board of Adjustment and Appeals; and

WHEREAS, the City of Fort Pierce, Florida desires to abolish the Construction Board of Adjustment and Appeals.

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

SECTION 1. That Chapter 5, Article I, Sec. 5-1.102.9, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-1.102.9. Words Defined.

Abandon or abandonment.

1. Termination of a construction project by a homeowner or contractor without just cause or proper notification to the owner including the reason for termination.
2. Failure of a homeowner or contractor to perform work without just cause for ninety (90) days.

3. Failure to obtain an approved inspection within one hundred eighty (180) days from the previous approved inspection.

Appraised value. For the purpose of this section, appraised value is defined as either

1. One hundred and twenty (120) ~~per cent~~ percent of the assessed value of the structure as indicated by the St. Lucie County Property Appraiser's Office; or
2. The value as indicated in a certified appraisal from a Florida certified appraiser.

Assessed value. The value of real property and improvements thereon as established by the St. Lucie County Property Appraiser.

Authorized agent. A person specifically authorized by the holder of a certificate of competency to obtain permits in his stead.

Basic Wind Speed Line. As directed by the Florida Legislature the exact location of the wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores whenever possible as adopted by the Florida Building Code. The City of Ft. Pierce has two wind speeds, 160 MPH and 150 MPH. The windspeed line as indicated on the modified state map runs north to south in line extremely close to 25th Street. 25th Street is chosen to represent the windspeed line for the City of Fort Pierce. The windspeed line will run north to south down the center of 25th Street. The land eastward of this line, including the barrier island shall be in the 160 MPH wind zone. The land westward of this line shall be in the 150 MPH wind zone. All projects shall be properly designed according to such windspeed zone.

~~*Board.* The Fort Pierce Construction Board of Adjustment and Appeals.~~

Building shell. The structural components that completely enclose a building, including, but not limited to, the foundation, structural frame, floor slabs, exterior walls and roof system.

Building system. A functionally related group of elements, components and/or equipment, such as the electrical, plumbing and mechanical systems of a building.

Certificate of occupancy (C.O.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the occupancy of a building.

Certificate of Completion (C. of C.). An official document evidencing that a building satisfies the requirements of the jurisdiction for the completion of a building.

Change of occupancy. A change from one Building Code occupancy classification or subclassification to another.

Commercial building. Any building, structure, improvement or accessory thereto, other than a one- or two-family dwelling.

Demolition. The act of razing, dismantling or removal of a building or structure, or portion thereof, to the ground level.

Examination. An exam prepared, proctored and graded by a recognized testing agency unless otherwise implied in context or specifically stated otherwise.

~~*Imminent Danger.* Structurally unsound conditions of a structure or portion thereof that is likely to cause physical injury to a person entering the structure: or,~~

~~Due to structurally unsound conditions, any portion of the structure is likely to fall, be carried by the wind, or otherwise detach or move, and in doing so cause~~

~~physical injury or damage to a person on the property or to a person or property nearby; or,~~

~~The condition of the property is such that it harbors or is inhabited by pests, vermin, or organisms injurious to human health, the presence of which constitutes an immediate hazard to people in the vicinity.~~

Inspection warrant. A court order authorizing the official or his designee to perform an inspection of a particular property named in the warrant.

Intensification of use. An increase in capacity or number of units of a residential or commercial building.

Permit. An official document authorizing performance of a specific activity regulated by this chapter.

Permit card or placard. A document issued by the jurisdiction evidencing the issuance of a permit and recording of inspections.

Replacement value. The estimated current replacement cost of the building or structure in kind. Such value shall be determined by using the most recent Building Valuation Data for Florida as compiled by the International Code Council (ICC) using the Marshall Valuation Service, as published by the Marshall and Swift Publication Company, Los Angeles, California or on the contract price given by the applicant for the project, whichever is higher. (The data are only intended to be used for determining market value and is not intended to be used as an estimating guide.)

Site. The physical clearing of the site in preparation for foundation work including, but not limited to, site clearing, excavation, dewatering, pilings and soil testing activities.

~~*Substantial improvement.* Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds a 60-month cumulative total of 50 per cent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. This term does not, however include any repair or improvement of a structure to correct existing violations of State of Florida or local health, sanitary, or safety code specifications, which have been identified by the local Enforcement Official prior to the application for permit improvement, and which are the minimum necessary to assure safe living conditions. This term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.~~

SECTION 2. That Chapter 5, Article I, Sec. 5-1.103.1, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-1.103.3. - Restrictions on Employees. An officer or employee connected with the department, ~~except one whose only connection is as a member of the board established by this code,~~ shall not be financially interested in the furnishing of labor, material, or appliances for the construction, alteration, or maintenance of a building, structure, service, system or in the making of plans or of specifications thereof, within the jurisdiction of the department, unless he is the owner of such, which is inconsistent with his duties or conflict with the interest of the department.

SECTION 3. That Chapter 5, Article I, Sec. 5-1.103.5, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-1.103.5. - Liability. Any officer or employee, ~~or member of the Fort Pierce Construction Board of Adjustment and Appeals,~~ charged with the enforcement of this code, acting for the applicable governing authority in the discharge of his duties, shall not thereby render himself personally liable, and is hereby relieved from all personal

liability, for any damage that may occur to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee ~~or member~~ because of such act performed by him in the enforcement of any provisions of this code shall be defended by the Office of the City Attorney until the final termination of the proceedings, unless such person is found to have acted in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard for the safety, health, and welfare of the public.

SECTION 4. That Chapter 5, Article I, Sec. 5-1.140, of the Code of Ordinances, is hereby amended to read as follows:

~~Sec. 5-1.140 Construction Board of Adjustment and Appeals~~

~~Sec. 5-1.140.1 Appointment. There may be established a board to be called the Construction Board of Adjustment and Appeals, which should consist of nine members but not less than seven. The Board shall be appointed by the applicable governing body.~~

~~Sec. 5-1.140.2.1 Membership. The Construction Board of Adjustment and Appeals should be composed of two (2) division I contractors, one electrical contractor, one mechanical contractor, one plumbing contractor, one architect, one engineer and two (2) members of the general public whenever possible. A board member shall not act in a case in which he has a personal or financial interest. The general public members shall be residents of the city who are not, and have never been an employee of or a practitioner of the construction industry or any closely related profession.~~

~~Sec. 5-1.140.2.2. Terms. The terms of office of the board members shall be staggered so no more than 1/3 of the board is appointed or replaced in any twelve (12) month period. Vacancies shall be filled for an un-expired term in the manner in which original appointments are required to be made. Continued absence of any member from required meetings of the board shall, at the discretion of the applicable governing body, render any such member subject to immediate removal from office. After having served four (4) consecutive terms, a member shall not be eligible for reappointment to the board for a period of two (2) years.~~

~~Sec. 5-1.140.2.3 Quorum and Voting. Six members of the board shall constitute a quorum. In varying any provision of this code, the affirmative votes of the majority present shall be required. In modifying a decision of the building official, not less than four affirmative votes shall be required.~~

~~Sec. 5-1.140.2.4 Secretary of Board. The director of building and community response, or his designee, shall serve as the secretary of the board, and shall make a detailed record of all of its proceedings, which shall set forth the reasons for its decision, the vote of each member, the absence of a member and any failure of a member to vote.~~

~~Sec. 5-1.140.2.5 Conduct of Board Members. Any board member found guilty or responsible for committing a violation related to the construction industry by any city, county or state shall submit the order determining such violation or guilt to the City Clerk within seven (7) days of the date of the order.~~

~~Any applicant seeking board appointment previously found guilty or responsible for committing a violation related to the construction industry by any city, county or state shall submit the order determining such violation or guilt to the City Clerk therein with their application for appointment.~~

~~Sec. 5-1.140.3 Powers. The Construction Board of Adjustments and Appeals shall have the power, further defined in 108.4, to hear appeals of decisions and interpretations of the building official and consider variances of the technical codes.~~

~~Sec. 5-1.140.4 Appeals~~

~~Sec. 5-1.140.4.1 Decision of the Building Official. The owner of a building, structure or service system, or his duly authorized agent, may appeal a decision of the building official to the Construction Board of Adjustment and Appeals whenever any one of the following conditions are claimed to exist:~~

- ~~1. The building official rejected or refused to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building, structure or service system.~~
- ~~2. The provisions of this code do not apply to this specific case.~~
- ~~3. That an equally good or more desirable form of installation can be employed in any specific case.~~
- ~~4. The true intent and meaning of this code or any of the regulations there under have been misconstrued or incorrectly interpreted.~~

~~Sec. 5-1.140.4.2 Variances. The Construction Board of Adjustments and Appeals, when so appealed to and after a hearing, may vary the application of any provision of this code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice and would be contrary to the spirit and purpose of this or the technical codes or public interest, and also finds all of the following:~~

- ~~1. That special conditions and circumstances exist which are peculiar to the building, structure or service system involved and which are not applicable to others.~~
- ~~2. That the special conditions and circumstances do not result from the action or inaction of the applicant.~~
- ~~3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this code to other buildings, structures or service system.~~
- ~~4. That the variance granted is the minimum variance that will make possible the reasonable use of the building, structure or service system.~~
- ~~5. That the grant of the variance will be in harmony with the general intent and purpose of this code and will not be detrimental to the public health, safety and general welfare.~~

~~Sec. 5-1.140.4.2.1 Conditions of the Variance. In granting the variance, the board may prescribe a reasonable time limit within which the action for which the variance is required shall be commenced or completed or both. In addition, the board may prescribe appropriate conditions and safeguards in conformity with this code. Violation of the conditions of a variance shall be deemed a violation of this code.~~

~~Sec. 5-1.140.4.3 Notice of Appeal. Notice of appeal shall be in writing and filed within thirty (30) calendar days after the decision is rendered by the building official. Appeals shall be in a form acceptable to the building official. Appeals relating to provisions of the Florida Building Code, other than local amendments, may be appealed to the Florida Building Commission, pursuant to section 120.569 Florida Statutes, regarding the local governments action. Notice of Administrative Rights may be obtained from the local building department.~~

~~Sec. 5-1.140.4.3.1 Appeal Fee. A fee shall be included with the Notice of Appeal as set forth in the Fee List of the Permit Fees schedule.~~

~~Sec. 5-1.140.5 Unsafe or Dangerous Buildings or Service Systems. In the case of a building, structure or service system which, in the opinion of the building official, is unsafe, unsanitary or dangerous, the building official may, in his order, limit the time for such appeals to a shorter period.~~

~~Sec. 5-1.140.6 Procedures of the Board~~

~~Sec. 5-1.140.6.1 Rules and Regulations. The board shall have the authority to make such by-laws, and procedural rules necessary to the orderly conduct of its meetings. Any such rule must be consistent with the Charter and ordinances of the city, and both~~

~~state and federal law. The board shall meet on call of the chairman. The board shall meet within thirty (30) calendar days after notice of appeal has been received.~~

~~Sec. 5-1.140.6.2 Decisions. The Construction Board of Adjustment and Appeals shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modifies a refusal, order, or disallowance of the building official or varies the application of any provision of this code, the building official shall immediately take action in accordance with such decision. Every decision shall be promptly filed in writing in the office of the building official and shall be open to public inspection. A certified copy of the decision shall be sent by mail or otherwise to the appellant and a copy shall be kept publicly posted in the office of the building official for two weeks after filing. Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.~~

Sec. 5-1.140. - Appeals.

(a) The City of Fort Pierce Construction Board of Adjustment and Appeals is abolished. However, all prior actions and orders imposed by the Construction Board of Adjustment and Appeals shall remain in full force and effect.

(b) Decisions of the Building Official regarding interpretations of the Florida Building Code or Florida Accessibility Code for Building Construction, may be appealed pursuant to Florida State Statute §553.775.

SECTION 5. That Chapter 5, Article VII, Sec. 5-268, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-268. - Miscellaneous fee schedule.

Type of service or fee:		Fee:
(1)	Appeal or variance in front of the construction board of adjustment and appeals: <u>Appeal or variance request of floodplain management ordinances:</u>	\$500.00
(2)	Building code surcharge <u>Per F.S. per Florida State Statutes §§ 468.631 and 553.721:</u>	A total of 2.5 percent on all plan review and permit fees. Minimum fee of \$4.00
(3)	Business tax inspection:	Inspection: \$75.00 Re-inspection(s): \$75.00
(4)	Certificate of occupancy (CO) or certificate of completion (CC):	\$50.00
(5)	Change of contractor:	\$50.00
(6)	Change of subcontractor:	\$25.00
(7)	Completion of DBPR probation forms:	\$50.00 per request

(8)	Conversion of paper plans to other format:	\$25.00 per hour, \$25.00 minimum fee
(9)	Electronic building permit processing fee:	\$5.00
(10)	Expired permit inspection to confirm that no work was performed and to close the permit:	\$75.00 If it is found that work was done, the renewal fee shall apply in addition to this fee.
(11)	Flood zone verification letter:	\$25.00
(12)	Liens and permits—Summary of search and findings:	\$25.00 per parcel requested for the first ten addresses or units. \$10.00 for each additional ten addresses or units within the same parcel.
(13)	Permit extension: (Justifiable cause must be demonstrated for each request.):	\$100.00 for 1 st 30 day extension. \$250.00 for 2 nd 30 day extension (or renewal fee, whichever is less). \$500.00 for 3 rd and <u>each</u> subsequent 30 day extension (or renewal fee, whichever is less).
(14)	Permit renewal (First): (Justifiable cause must be demonstrated for each request.)	½ of the permit fee using current fee schedule + <u>plus</u> \$50.00 renewal fee + <u>plus</u> State surcharge (based on permit fee only) or \$75.00 permit fee + <u>plus</u> \$50.00 renewal fee + <u>plus</u> \$4.00 minimum state surcharge Whichever is greater (minimum fee of \$129.00).
(15)	Permit renewal (Second): (Justifiable cause must be demonstrated for each request.)	Permit fee using current fee schedule + <u>plus</u> \$50.00 renewal fee + <u>plus</u> State surcharge (based on permit fee only).
(16)	Permit renewal (third and <u>each</u> subsequent): (Justifiable cause must be demonstrated for each request.)	Permit fee using current fee schedule + <u>plus</u> \$100.00 renewal fee + <u>plus</u> State surcharge (based on permit fee only).
(17)	Permit to comply condemnations:	Permit fee using current fee schedule + <u>plus</u> \$250.00 rehabilitation fee + <u>plus</u> State surcharge (based on permit fee only) or: Permit fee using current fee schedule + <u>plus</u> \$500.00 demolition fee + <u>plus</u> State surcharge (based on permit fee

		only).
(18)	Pre-application meeting: (This fee is in addition to the fee charged by planning and zoning)	\$100.00
(19)	Pre-construction meeting:	\$100.00
(20)	Re-issuance of certificate of occupancy (CO) or certificate of completion (CC):	\$50.00 per page
(21)	Re-issuance of permit card:	\$25.00 per card
(22)	Re-stamping of plans:	Residential—\$75.00 plus cost of copies Commercial—\$150.00 plus cost of copies
(23)	Routing fee:	\$15.00 per required review—(planning and zoning, engineering, solid waste, fire department, urban forester, sea turtle lighting reviewer, flood zone reviewer)
(24)	Subcontractor agreements:	\$25.00 Residential per agreement \$50.00 Commercial per agreement
(25)	Special inspector/ † Threshold inspector required:	\$50.00

SECTION 6. That Chapter 5, Article XIII, Sec. 5-365, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 5-365. - Definitions, scope and application.

- (a) Terms within these code provisions shall be defined in accordance with Chapter 2 of the International Property Maintenance Code (“IPMC”), except as provided otherwise within the Code of Ordinances of the City of Fort Pierce, Florida or by state or federal law.
- (b) Chapter 1, Part 1 of the IPMC entitled Scope and Application is hereby adopted and specifically incorporated herein by reference.
- (c) Chapter 1, Part 2, of the IPMC entitled Administration and Enforcement is hereby adopted and specifically incorporated herein by reference. of the provisions of the city property maintenance ordinance and housing code. The provisions of the IPMC shall be administered and enforced in accordance with applicable provisions established in Chapters 2 and 5 of the Code of Ordinances of the City of Fort Pierce, Florida.
 - (1) Chapter 1, Part 2, Section 111 “Means of Appeal”, is specifically excluded. Any person directly affected by the enforcement of the provisions of the city property maintenance ordinance and housing code has the right to request a hearing pursuant to Chapter 2, Article XIII of the Code of Ordinances.
- (d) The provisions of Chapter 3, Section 301 is hereby adopted and specifically incorporated herein by reference.
- (e) The provisions of Chapter 3, Section 302 are adopted with the following exceptions;

- (1) Section 302.4 "Weeds", is specifically excluded. All landscape overgrowth shall be abated in accordance with the provisions of Chapter 16 of the Code of Ordinances of the City of Fort Pierce, Florida.
- (2) Section 302.8 "Motor Vehicles", is specifically excluded. Non-operative vehicle nuisances shall be abated in accordance with the provisions for the same within Chapter 16 of the Code of Ordinances of the City of Fort Pierce, Florida.
- (f) Chapter 4, Section 404.7 "Food Preparation", is hereby adopted and specifically incorporated herein by reference. All other provisions of Chapter 4 are specifically excluded. Regulations regarding light, ventilation, and occupancy limitations shall be governed by Chapter 8.5 of the Code of Ordinances of the City of Fort Pierce, Florida.
- (g) All sections of the IPMC which are not specifically excluded are incorporated herein by reference and shall be subject to enforcement year round.

SECTION 7. That Chapter 15, Sec. 15-8, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 15-8. - Permit procedures.

- (a) *General.* No person shall place, erect or maintain the structure of a sign including the removal or replacement of the sign face, or cause to be placed, erected or maintained, any sign or advertising structure or structure or structural alteration thereto except in conformance with the provisions of this chapter.
- (b) *Application.* All plans and layouts for a sign or advertising structure shall be accompanied by an application which shall be filed with the building department in accordance with ~~Chapter 5~~ of this Code prior to the issuance of any permit. The application shall be approved or disapproved by the building department within fifteen (15) days of the date it is received. In the event it is not either approved or disapproved within such period of time, it shall be deemed approved. ~~# disapproved, such disapproval may be appealed to the construction board of adjustments and appeals, as established by chapter 5, to be heard at its next regular meeting, in a manner consistent with the board's rules of procedures. Said application shall describe and set forth the following:~~
 - (1) The type of proposed sign or advertising structure requested as defined in this chapter.
 - (2) The street address and legal description of the property upon which said sign is to be located.
 - (3) The square foot area per sign face and message content.
 - (4) Plans drawn to scale showing:
 - a. The location of all proposed signs and existing signs to be retained.
 - b. Complete design specifications of all proposed signs to show methods of construction and installation in accordance with the provisions of the Florida Building Code.
 - (5) Photographs of all existing on-site signs.
 - (6) The name and address of the person in control or possession of the property upon which said sign is to be located and authorization from same for possession to place said sign upon the property.
 - (7) The name of the person or contractor erecting the structure.
 - (8) Such other pertinent information as may be required by the building department.
- (c) *Permit.* After the provisions of this chapter have first been complied with, and the sign or advertising structure does not violate any of the terms, conditions or provisions herein or of any other law or ordinance, a permit shall be issued for such sign or advertising structure.
- (d) *Fee schedule.* A permit fee shall be paid in accordance to the fee schedule established in ~~s~~Section 5-267 of ~~the~~ this Code. ~~Except that, Separately,~~ permit fees

for special event signs shall be paid in accordance to the fee established in subsection 15-6(d) of this ~~e~~Chapter.

- (e) *Permit and fee exemptions.* The following types of signs shall not be required to have a permit or subject to the above fees, but shall meet all other appropriate requirements within this chapter:
- (1) Temporary signs, except special event signs.
 - (2) Murals.
 - (3) Window signs, including but not limited to credit card signs, decals or emblems.
 - (4) Interchange of copy.
 - (5) Public convenience sign, which identifies the location of restrooms, public telephones or the like, ~~except for signs required by the ADA Code or not including signs required for compliance with the Florida Accessibility Code for which a permit is required.~~
 - (6) Public utility sign, which identifies the location of underground lines, high voltage areas or the like.
 - (7) Public warning sign, which indicates the dangers of trespassing, swimming, animals or the like.
 - (8) Flag, emblem or insignia of the United States, the state or the city.
 - (9) Seasonal display or decoration not advertising a product, service or establishment.
- (f) *Contractors.* No person shall engage in the business of construction, erecting, altering or maintaining signs that require a permit within the city until he/she is state certified or has a valid certificate of competency from the city.
- (g) *Stop-work orders.* Upon notice from the building official or his/her designee that work on any sign or advertising structure is being done contrary to the provisions of this chapter or the Code or in a dangerous or unsafe manner, such work shall be immediately stopped. Such notice shall be in writing and shall be given to the owner of the property or to his/her agent or to the person doing the work, and shall state the condition upon which work may be resumed. Where an emergency exists, no written notice shall be required to be given by the building official.
- (h) *Revocation of permit.* The building official may revoke a permit or approval, issued under the provisions of this chapter, in case there has been any false statement, concealment or misrepresentations as to a material fact in the application or plans on which the permit or approval was based.

SECTION 8. 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 9. 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 10. 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-XXX was duly advertised by title only in the St. Lucie News Tribune on XXXX; 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 XXX; and was duly introduced, read by title only, and passed on second and final reading on Monday, XXX, 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, XXX.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)