

**ORDINANCE NO. 19-011**

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **REPEALING CHAPTER 5, ARTICLE VIII** OF THE CODE OF ORDINANCES ENTITLED "**SWIMMING POOLS**" AND ALL SECTIONS CONTAINED THEREIN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on February 16, 1988, there was adopted Ordinance I-257 which ordinance repealed former § 5-281 pertaining to construction, alteration, etc. of swimming pools; and

**WHEREAS**, on December 17, 2001, there was adopted Ordinance K-125 which ordinance repealed former §§ 5-282 – 5-287 pertaining to swimming pool code adoption; and

**WHEREAS**, the Code of Ordinances, provides for the adoption and regulation of the Florida Building Code; which shall be amended from time to time to ensure compliance with Florida State Statutes and the Florida Building Code;

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

**SECTION 1.** Chapter 5, Article VIII of the Code of Ordinances, is hereby amended to read as follows:

**ARTICLE VIII. – SWIMMING POOLS**

~~Sec. 5-281. – Reserved.~~

~~Secs. 5-282 – 5-287. – Reserved.~~

~~Sec. 5-288. – Setback.~~

~~\_\_\_\_\_ The setback of the outside of the structure wall of any swimming pool shall be not less than ten (10) feet from all property lines.~~

~~Secs. 5-289 – 5-300. – Reserved.~~

**ARTICLE VIII. – RESERVED**

~~Secs. 5-281 – 5-300. – Reserved.~~

**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**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.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:

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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.

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Linda Hudson  
MAYOR COMMISSIONER

ATTEST

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Linda W. Cox  
CITY CLERK

(CITY SEAL)