

ORDINANCE NO. 19-015

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, TO REPEAL CHAPTER 22, ARTICLE X, SECTION 22-143(C) "NOTICE BY SIGNS," TO ADOPT A NEW CHAPTER 22, ARTICLE X, SECTION 22-143(C) "NOTICE BY SIGNS," CREATING SIZE, PLACEMENT, RESPONSIBILITIES, AND PROCEDURES FOR POSTING OF REQUIRED SIGNAGE FOR PUBLIC HEARINGS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Pierce on June 15, 1981, approved Ordinance H-186 that created Section 22-143, Public Hearings; and

WHEREAS, the intent of Ordinance H-186 was to establish procedures for the timely posting of properties undertaking amendments of the Zoning Atlas or applications for a Conditional Use; and

WHEREAS, signage for public hearings should be designed and placed on the subject property so as to be visible and readable to persons driving or walking by; and

WHEREAS, the timely placement of said signage for public hearings should be the responsibility of the applicant or his/her designated agent; and

WHEREAS, Section 22-143 has been amended from time to time since it was formally adopted on June 15, 1981, under Ordinance H-186; and

WHEREAS, the City of Fort Pierce Planning Board held a public meeting on February 12, 2019, to consider the land development code amendment and recommended approval of the amendment by a vote of 6 to 0; and

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

SECTION 1. Section 22-143(C) is hereby amended so that the same shall read as follows:

~~Section 22-143.— Public hearings.~~

~~(c) Notice by signs. After an application has been filed for an amendment of the zoning atlas or an application for conditional use, the department of planning and development shall post a sign or signs on the property concerned at least five (5) days prior to the planning board meeting thereon. The sign or signs shall not be less than ten (10) square feet in size and located where, in the judgment of the department, the sign or signs would be in the most conspicuous place to the passing public. The sign will state that rezoning~~

~~is proposed from one category to another and also the date of the public hearing before the city commission. The sign or signs shall be posted not less than ten (10) days prior to the public hearing. The city will only be responsible for erection of the sign or signs.~~

~~All notice by sign posting shall identify the existing zoning classification, the proposed zoning classification, if applicable, the type of use being requested, and in the date, time and location of the public hearing.~~

Section 22-143. – Public hearings.

(c) Notice by signs. After an application has been filed for an amendment of the Zoning Atlas or an application for Conditional Use, the applicant shall post a sign or signs on the property concerned at least five (5) days prior to the Planning Board meeting thereon. The sign or signs shall not be less than 18 x 24 inches in size as provided by the Planning Department; and located where, in the judgment of the Planning Department, the sign or signs would be in proximity to the subject property and in the most conspicuous place to the passing public. The sign or signs shall be posted not less than ten (10) days prior to the public hearing.

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 thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 4. This Ordinance shall be and become effective immediately upon final passage.

APPROVED AS TO FORM & 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. 19-015 was duly advertised by title only in the St. Lucie News Tribune on Sunday, March 17, 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 April 1, 2019; and was duly introduced, read by title only, and passed on second and final reading April 15, 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 XX day of April, 2019.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)