

ORDINANCE NO. 20-022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 103, ARTICLE IX, SECTION 103-343 "CLEAN AND SAFE COMMUNITY INITIATIVE"; PROVIDING FOR A SUNSET PROVISION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Fort Pierce, Florida adopted Ordinance 17-028 thereby adopting the "Clean and Safe Community Initiative" in September 2017 in an effort to address property maintenance deficiencies and take appropriate action to abate such unsafe conditions thus reducing the effect of slum and blight in the community; and

WHEREAS, the City Commission of the City of Fort Pierce has determined that the goals of the Clean and Safe Community Initiative should be expanded to include additional actions that directly impact the safety of the community; and

WHEREAS, the City Commission of the City of Fort Pierce finds it necessary to provide specific and detailed goals to be addressed by the Clean and Safe Community Initiative; and

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

SECTION 1. Sec103-343 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby amended so that the same shall read hereinafter as follows:

Sec. 103-343. Clean Community Program.

A) In an effort to curb the onslaught of blighted conditions and address safety concerns throughout the community, the City has created a clean and safe community initiative. The clean and safe community initiative is intended to provide direct remediation of structures and systems conditions that create a hazard to the life, health and safety of the community, contribute to an increase in criminal activity and overall reduce property values and community pride. ~~Such structures or systems shall be declared unsafe and be condemned in compliance with the International Property Maintenance Code as adopted and referenced in Sec. 5-364. Remediation of any structure or system declared unsafe and condemned shall include, but is not limited to, the removal and demolition of the structure or other abatement measures in accordance with Sec. 16-49 – Sec. 16-51.~~

(1) The following items are considered integral parts of the clean and safe community initiative and do not require additional approval:

(a) Abatement of buildings or structures determined to be unsafe by the code official.

(b) Abatement of nuisance conditions including:

(i) Vacant structures.

(ii) Open and unsecured pools.

(iii) Lot clearing activities including clearing of lots to the criteria outlined in the Crime Prevention Through Environmental Design program as adopted by the City Commission.

(iv) Graffiti.

(v) Non-operative vehicles.

(vi) Bees, wasps, and similar stinging or dangerous pests.

(2) The following items are considered peripheral to the program and may only be considered if funding is available and must receive approval from the City Commission.

(a) Crime prevention programs.

(b) Fort Pierce Police Department safety measures or activities.

(c) Safety equipment or apparatus.

B) To provide funding for the clean and safe community initiative there shall be created a clean and safe community fee. The fee shall be set by resolution as approved by the City Commission.

C) The Clean and Safe Community Program shall expire on 9/30/2020, ~~3. unless prior to that date the City Commission, after conducting public hearings, finds that the purpose of this program has not yet been achieved, in which case it may extend the effective period of this program for an additional three years.~~

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 hereof.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this _____ day of _____, 20_____.

Linda Hudson, Mayor

ATTEST:

Linda Cox, City Clerk

(SEAL)

Approved as to Form
And Correctness:

Peter J. Sweeney, Esq.
City Attorney

