

ORDINANCE NO. 21-011

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING CHAPTER 103, ARTICLE II**, OF THE CODE OF ORDINANCES ENTITLED "**BUILDING CODE**"; PROVIDING FOR ADOPTION OF LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE (FBC), 7TH EDITION (2020); CORRECTING CODIFICATION ERRORS OF LOCAL TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Florida Legislature enacted the "Florida Building Codes Act" in 2001 to provide for uniform adoption, updating, amendment, interpretation, and enforcement of a single, unified statewide building code; and

WHEREAS, the Florida Building Code is adopted and updated with new editions every three years pursuant to Florida Statutes. In last year's session, the legislature approved the 7th Edition (2020) Florida Building Code; 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;

WHEREAS, section 553.73(4)(a)(2020), Florida Statutes, authorizes the City to adopt amendments to the administrative provisions of the Florida Building Code to meet local conditions; and

WHEREAS, section 553.73(b)(2020), Florida Statutes, authorizes the City to adopt technical amendments to the Florida Building Code to meet local conditions.

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

SECTION 1. Chapter 103, Article II, Division 1 of the Code of Ordinances, is hereby amended as follows:

Sec. 103-23. - Adopted.

The Florida Building Code (FBC), as described in F.S. ch. 553, and as published by the respective publishers, plus any administrative amendments, is hereby adopted by reference as the building code of the city, to apply to the incorporated areas of the city. The code is available online to the public at floridabuilding.org. One copy of such code shall be filed in the office of the ~~city clerk~~ Building Department and shall be available for inspection by the public during business hours of such office.

Sec. 103-24. - Florida Building Code amendments.

(a) Florida Building Code Administrative Amendments.

(1) Florida Building Code, Building; Chapter 1, Scope and Administration.

~~Section 1.01 FBC Sec. 107.3.5 Minimum plan review criteria for buildings.~~

~~Commercial Buildings: Building.~~

~~1. Structural requirements shall include:~~

~~Flood requirements in accordance with section 1612, including lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), flood damage-resistant materials.~~

~~Residential (one- and two-family).~~

~~1. Structural requirements shall include:~~

~~Flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, declaration of land restriction (nonconversion agreement), equipment, and flood damage-resistant materials.~~

The Building Officials Association of Florida's (BOAF) Model Administrative Code (2020) for the 7th Edition of the Florida Building Code (2020), with local additions and deletions thereto recommended by the City's building official as authorized by F.S. § 553.73(4)(a), attached hereto as Exhibit "A" is hereby adopted and incorporated herein by reference. The Model Administrative Code (2020), together with the City's additions and deletions is on file in the office of the Building Department.

(2) Florida Building Code, Building; Chapter 16, Structural Design.

FBC Sec. 1609.3 Ultimate design wind speed.

Ultimate Design Wind Speed Lines. As directed by the state legislature and adopted by the Florida Building Code, the exact location of the ultimate design wind speed lines for use in the design of Risk Category I buildings, Risk Category II buildings, Risk Category III and IV buildings shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores wherever possible.

Risk Category I. The jurisdiction of the City of Fort Pierce has one Ultimate Design Wind Speed for Risk Category I buildings and other structures, 140 mph.

Risk Category II. The jurisdiction of the City of Fort Pierce has two Ultimate Design Wind Speeds for Risk Category II buildings and other structures, 150 mph and 160 mph. The centerline of 25th Street is designated to represent the Ultimate Design Wind Speed Line. All land eastward of this line, including the barrier island, shall be in the 160 mph ultimate design wind zone. All land westward of this line shall be in the 150 mph ultimate wind design wind zone.

~~Risk Category III and Risk Category IV. The jurisdiction of the City of Fort Pierce has two Ultimate Design Wind Speeds for Risk Category III and Risk Category IV buildings and other structures, 160 mph and 170 mph. The centerline of 25th Street is designated to represent the Ultimate Design Wind Speed Line. All land eastward of this line, including the barrier island, shall be in the 170 mph ultimate design wind zone. All land westward of this line shall be in the 160 mph ultimate wind design wind zone.~~

Risk Category IV. The jurisdiction of the City of Fort Pierce has two Ultimate Design Wind Speeds for Risk Category IV buildings and other structures, 170 mph and 180 mph. The centerline of 25th Street is designated to represent the Ultimate Design Wind Speed Line. All land eastward of this line, including the barrier island, shall be in the 180 mph ultimate design wind zone. All land westward of this line shall be in the 170 mph ultimate wind design wind zone.

~~Section 1.02~~

(b) Florida Building Code Technical Amendments.

(1) Florida Building Code, Existing Building; Chapter 11, Additions.

~~Section 1.04 FBC Sec. 1101.1 Scope.~~

Scope. An addition to a building or structure shall comply with the state codes, as adopted for new construction, without requiring the existing building or structure to comply with any requirements of those codes or of these provisions,

except as required by this chapter. Where an addition impacts the existing building or structure, that portion shall comply with this code.

(2) Florida Building Code, Existing Building; Chapter 11, Additions.

FBC Sec. 1103.5 Flood hazard areas.

1. For horizontal additions that are structurally interconnected to the existing building:
 - 1.1 If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
 - 1.2 If the addition constitutes substantial improvement, the existing building and the addition shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
 - 1.3 The addition shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable. [1.3 must remain underlined once codified]
2. For horizontal additions that are not structurally interconnected to the existing building:
 - 2.1 The addition shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
 - 2.2 If the addition and all other proposed work, when combined, constitute substantial improvement, the existing building and the addition shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
3. For vertical additions and all other proposed work that, when combined, constitute substantial improvement, the existing building shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
4. For a raised or extended foundation, if the foundation work and all other proposed work, when combined, constitute substantial improvement, the existing building shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.
5. For a new foundation or replacement foundation, the foundation shall comply with section 1612 of the Florida Building Code, Building, or section R322 of the Florida Building Code, Residential, as applicable.

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 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. 21-011 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 Monday, April 5, 2021; and was duly introduced, read by title only, and passed on second and final reading on Monday, April 19, 2021, 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.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)