

ORDINANCE NO. 23-062

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 2, ARTICLE V, FINANCE, CREATING SECTION 2-426 TO CORRECT A SCRIVENER'S ERROR AND REESTABLISH THE CITY DEBT LIMIT**; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Mayor and City Commission adopted Ordinance K-312 on December 21, 2004 modifying Section 14(2) of the City Charter with regard to the debt limit of the City of Fort Pierce; and

WHEREAS, in 2020, the City undertook a review and recodification of the City Charter and Code of Ordinances using the services of MuniCode Corporation and certain codes and elements of the Charter were removed pursuant to F.S. § 166.021 as a limitation on power or assumed ordinance status; and

WHEREAS, as part of the recodification, adopted via Ordinance 20-014 on July 20, 2020, Section 14(2) of the Charter was removed and assumed ordinance status; and

WHEREAS, Ordinance K-312 was inadvertently, through scrivener's error or oversight, excluded from Ordinance 20-014; and

WHEREAS, to formally reestablish Ordinance K-312, the Code of Ordinances is being amended to properly recodify the City's established debt limit.

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

SECTION 1. Chapter 2, Article V - Finance, Section 2-426 of the Code of Ordinances of the City of Fort Pierce, Florida, is hereby created and the same shall read as follows:

~~Secs. 2-426-2-436. — Reserved.~~

Sec. 2-426. – City Debt Limit.

The city is authorized to borrow at a rate of interest as allowed by Florida Statutes for municipalities, not exceeding sixty seven million dollars (\$67,000,000,00) and to execute negotiable notes therefor.

~~Secs. 2-427-2-436. - Reserved.~~

SECTION 2. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 3. 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, which shall remain in effect,

it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage hereof and is nunc pro tunc to July 20, 2020.

APPROVED AS TO
FORM AND CORRECTNESS:

Sara Hedges, Esq.
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. 23-062 was duly advertised by title only in the St. Lucie News Tribune on November 24, 2023; 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 December 4, 2023; and was duly introduced, read by title only, and passed on second and final reading on December 18, 2023 by the City Commission of Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this 18th day of December, 2023.

Linda Hudson, Mayor

ATTEST:

Linda W. Cox
City Clerk

(SEAL)