

ORDINANCE NO. 24-020

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING CHAPTER 125 – ZONING, ARTICLE VII – SUPPLEMENTARY REGULATIONS, DIVISION 1 – GENERALLY, SECTION 125-328 – BOARDINGHOUSES AND ROOMINGHOUSES TO REGULATE THE STANDARDS OF OPERATION OF BOARDINGHOUSES AND ROOMINGHOUSES; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, by enacting Section 125-328 – Boardinghouses and Roominghouses, the City recognizes the need for safe, clean housing for its citizens and finds it necessary to establish and enforce standards for boardinghouses and roominghouses in the city in a manner which protects and preserves the health, safety, appearance, and general welfare of the citizens of the city.

WHEREAS, the City of Fort Pierce Planning Board held a properly noticed hearing at a regularly scheduled meeting to consider the revisions, and at their September 11, 2023, meeting, voted 6 to 0 to recommend approval of the request.

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

SECTION 1. Section 125-328 is hereby created, so the same shall read as follows:

Sec. 125-328. - Boardinghouses and Roominghouses

- (a) Purpose. To establish and enforce standards for boardinghouses and roominghouses in the city in a manner which protects and preserves the health, safety, appearance, and general welfare of the citizens of the city.
- (b) Minimum maintenance standards. The owner of a boardinghouse or roominghouse shall not occupy nor let to another for occupancy, a boardinghouse unit or roominghouse unit that is not clean, sanitary, safe, and fit for human habitation as required by the standards established hereunder, and other codes of the City of Fort Pierce, St. Lucie County, and the State of Florida. The owner of a boardinghouse or roominghouse shall:
- (1) Maintain the premises, both interior and exterior including landscape elements, in a manner consistent with these ordinances and the International Property Maintenance Code (IPMC) as may be amended from time to time; and
 - (2) Unless each unit is provided with its own utility connections, ensure utilities are provided to the premises; and

- (3) Every unit must have an operable window or secondary means of emergency egress. Such windows shall be provided with shades, draperies, or other devices or materials to cover all windows so as to afford privacy to occupants; and
 - (4) Not permit cooking in any boardinghouse unit or roominghouse unit; and
 - (5) Ensure one (1) trash and one (1) recycling container per 4 occupants or a dumpster for use by all occupants is provided and is maintained in compliance with Chapter 30 of this code; and
 - (6) Not permit the use of any cellar, garage, carport, shed, basement space, or similar accessory structure as a habitable room; and
 - (7) Maintain the exterior premises so as to prevent the accumulation of stagnant water thereon; and
 - (8) All animals or pets must be licensed with the city and be kept in a manner consistent with the provisions of this Code.
 - (9) Provide fire and smoke protection features and systems as required in this Code and the IPMC.
- (c) Minimum Space Requirements. Every room occupied for sleeping purposes shall:
- (1) Have a gross floor area of not less than seventy (70) square feet and, when occupied by more than one (1) occupant it shall have a gross floor area calculated on the basis of total habitable room area of not less than fifty (50) square feet for each occupant; and
 - (2) Have a minimum width of eight (8) feet; and
 - (3) Comply with the requirements of the adopted International Property Maintenance Code (IPMC). Any portion of a room having a ceiling height less than the minimum specified in the IPMC shall not be included in computing the total floor area of such room.
- (d) Parking Requirements.
- (1) Minimum parking standards for boardinghouses are defined within the off-street parking standards of this code. Roominghouses shall be subject to the same requirements.
 - (2) Parking standards for boardinghouse or roominghouse establishments may be reduced by up to 50% if public transportation stops are located within one quarter mile of the boardinghouse or roominghouse.
- (e) Preexisting boardinghouses or roominghouses.
- (1) Preexisting boardinghouses and roominghouses will be required to comply immediately with all provisions of this section, to include, but not limited to

minimum maintenance standards, space requirements, and parking requirements.

- (2) Legal preexisting boardinghouses and roominghouses shall comply with the Florida Building Code (FBC) and with the Fire Code in effect at the time a certificate of occupancy was issued.
 - (3) Preexisting boardinghouses and roominghouses will be allowed twenty-four (24) months to obtain a conditional use permit.
- (f) Enforcement.
- (1) The police department's officers, code enforcement officers, and any other city employees designated by the city manager shall enforce this article; complaints may be filed with the city using all available and acceptable methods.
 - (2) Provisions of this chapter may be enforced by the city as a civil violation pursuant to chapter 1, article II.
 - (3) Illegal boardinghouses and roominghouses shall immediately require an application for conditional use to be made to the city's planning department and be subject to and comply with all applicable Florida Building Code and Fire Codes. In addition, such boardinghouses and roominghouses may also require a change of use and certificate of occupancy under the provisions of the FBC, made through the city's Building Department.

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 which 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 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. 24-020 was duly advertised in the St. Lucie News Tribune on Sunday, June 30th, 2024 and Sunday, July 21st, 2024; 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 _____, 2024; and was duly introduced, read by title only, and passed on second and final reading _____, 2024, 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 ____ of _____, 2024.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)