

City Commission Regular Meeting

12.h.

Meeting Date: 03/04/2019

Re: Consideration of Ordinance 19-007 - Fire Protection and Prevention - FIRST READING

Submitted For: Paul Thomas, Building Official, Building

SUBJECT:

Legislative Hearing - Ordinance 19-007 which amends Chapter 7, Article I, Section 7-20, "Fire Prevention and Protection." FIRST READING

SUMMARY:

This ordinance would streamline the issuance of permits related to the installation of above-ground fuel storage tanks when reviewed and approved by the City of Fort Pierce Building Department without requiring approval by the City Commission.

RECOMMENDATION:

Staff recommends approval of Ordinance 19-007 "Fire Prevention and Protection," which amends Section 7-20 to allow the installation of above-ground fuel storage tanks only when permitted by the City of Fort Pierce Building Department.

ALTERNATIVES:

Do not approve the ordinance at this time.

RESPONSIBLE STAFF:

Paul Thomas, CBO, CFM, Building Official

COORDINATED WITH:

Shaun Coss, CFM, Building Department Coordinator

Fiscal Impact

OTHER INFORMATION:

None at this time.

Attachments

Proof of Advertising
19-007 Proposed Ordinance

Form Review

Inbox	Reviewed By	Date
Building	Paul Thomas	02/20/2019 03:32 PM
City Manager	Nick Mimms	02/22/2019 09:55 AM
Form Started By: Karen Murphy		Started On: 02/13/2019 01:55 PM

Final Approval Date: 02/22/2019

Sales Rep: Lionel Hampton (N9190)

Phone: (239) 403-6152

Email: lionel.hampton@naplesnews.com

> Account Information

Date: 02/12/19
Account Number: 463454 (T11504099)
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Start Date: 02/14/19 Stop Date: 02/14/19
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Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com

> Ad Proof

I agree this ad is accurate and as ordered.

CITY OF FORT PIERCE NOTICE OF PUBLIC HEARING

The City Commission of the City of Fort Pierce, Florida, pursuant to City Charter and Florida Statute 166.041, will hold Public Hearings, on Monday, March 4, 2019 and Monday, March 18, 2019 on first and second readings, respectively in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, at their meeting which begins at 6:30 p.m., to consider review and approval of the following:

ORDINANCE NO. 19-004 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5, ARTICLE IV OF THE CODE OF ORDINANCES ENTITLED "BUILDING DRAINAGE"; AMENDING SECTION 5-94, TO AMEND REFERENCED SECTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 19-005 - AN ORDINANCE BY THE CITY COMMISSION AMENDING THE CITY OF FORT PIERCE CODE OF ORDINANCES TO REPEAL CHAPTER 5 ARTICLE X (A) "FLOOD HAZARD ZONES" SECTION 5-315 THROUGH 5-329; TO ADOPT A NEW CHAPTER

5 ARTICLE X (A) ENTITLED "FLOODPLAIN MANAGEMENT" SECTION 5-315 THROUGH 5-329; TO ADOPT FLOOD HAZARD MAPS, TO DESIGNATE A FLOODPLAIN ADMINISTRATOR, TO ADOPT PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; TO ADOPT TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 19-006 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5, OF THE CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS" AMENDING ARTICLE V TO BE ENTITLED "WORKFORCE HOUSING PROGRAM", AMENDING SECTION 5-111 TO PROVIDE FOR A SHORT TITLE; AMENDING SECTION 5-112 SETTING FORTH THE PURPOSE AND INTENT OF THE WORKFORCE HOUSING PROGRAM; AMENDING SECTION 5-113 TO PROVIDE FOR APPLICABILITY; AMENDING SECTION 5-114 TO ESTABLISH DEFINITIONS; AMENDING SECTION 5-115 TO RESERVE LINKAGE FEES FOR FUTURE ADOPTION; AMENDING SECTION 5-116 TO RESERVE FOR

PROVISIONS FOR FUTURE ADOPTION; AMENDING SECTION 5-117 TO ESTABLISH CONSTRUCTION STANDARDS FOR WORKFORCE HOUSING; AMENDING SECTION 5-118 PERTAINING TO RESTRICTIONS ON THE SALES AND RENTAL PRICES FOR WORKFORCE HOUSING DWELLING UNITS; AMENDING SECTION 5-119 ESTABLISHING QUALIFICATIONS FOR INDIVIDUALS TO BE ELIGIBLE FOR THE WORKFORCE HOMEBUYER PROGRAM; AMENDING SECTION 5-120 TO ESTABLISH A TIME PERIOD WHEREIN RENTAL AND FOR-SALE WORKFORCE HOUSING UNITS ARE REQUIRED TO REMAIN AFFORDABLE; AMENDING SECTION 5-121 TO CREATE A WORKFORCE HOUSING TRUST FUND; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 19-007 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 7, ARTICLE I OF THE CODE OF ORDINANCES ENTITLED "FIRE PREVENTION AND PROTECTION"; AMENDING SECTION 7-20, TO AMEND PERMITTING REQUIREMENTS OF ABOVEGROUND STORAGE TANKS; PROVIDING FOR A SEVERABILITY CLAUSE;

REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

All interested parties may appear at the meeting and be heard with respect to the Amendments of the Code of Ordinances. Said Ordinance will be available for inspection in the City Clerk's Office, City Hall, 100 North U.S. #1, Fort Pierce, Florida.

ANY PERSON SEEKING TO APPEAL THE DECISION OF THE CITY COMMISSION AS TO THE FOREGOING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities

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needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

/s/ Linda W. Cox, City Clerk
Publish: 2/14/2019
TCN

ORDINANCE NO. 19-007

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, **AMENDING CHAPTER 7, ARTICLE I** OF THE CODE OF ORDINANCES ENTITLED "**FIRE PREVENTION AND PROTECTION**"; AMENDING SECTION 7-20, TO AMEND PERMITTING REQUIREMENTS OF ABOVEGROUND STORAGE TANKS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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 State Statutes and to provide exceptional service to the public.

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

SECTION 1. Chapter 7, Article I, Sec. 7-20, of the Code of Ordinances, is hereby amended to read as follows:

Sec. 7-20. – Storage of flammable liquids - Aboveground

Aboveground storage tanks shall not be located, placed or constructed in the city for use in storing flammable liquids, unless expressly permitted by the ~~city commission~~ 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 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 course or effect whatsoever.

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. 19-007 was duly advertised by title only in the St. Lucie News Tribune on February 20, 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 March 4, 2019; and was duly introduced, read by title only, and passed on second and final reading on Monday, March 18, 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 18th day of March, 2019.

Linda Hudson
MAYOR COMMISSIONER

ATTEST

Linda W. Cox
CITY CLERK

(CITY SEAL)

City Commission Regular Meeting

12.i.

Meeting Date: 03/04/2019

Re: Proposed Ordinance 19-010 - Abolishing the Construction Board of Adjustment and Appeals - FIRST READING

Submitted For: Paul Thomas, Building Official, Building

SUBJECT:

Legislative Hearing - Ordinance No. 19-010 abolishing the Construction Board of Adjustment and Appeals. FIRST READING

SUMMARY:

The proposed ordinance will abolish the Construction Board of Adjustment and Appeals. The ordinance will also remove references to the Construction Board of Adjustment and Appeals from several sections of the Code of Ordinances.

RECOMMENDATION:

Staff recommends approval of proposed Ordinance 19-010 abolishing the Construction Board of Adjustment and Appeals.

ALTERNATIVES:

Do not approve the ordinance at this time.

RESPONSIBLE STAFF:

Paul Thomas, CBO, CFM, Building Official
Shaun Coss, CFM, Building Department Coordinator

COORDINATED WITH:

Peter Sweeney, City Attorney

Fiscal Impact

OTHER INFORMATION:

None at this time.

Attachments

Proof of Advertisement

Form Review

Inbox	Reviewed By	Date
Building	Paul Thomas	02/20/2019 03:32 PM
City Manager	Nick Mimms	02/22/2019 09:55 AM
Form Started By: Karen Murphy		Started On: 02/20/2019 10:38 AM

Final Approval Date: 02/22/2019

ST. LUCIE NEWS TRIBUNE

ATTN: LEGAL ADVERTISING

PO: 19-010 011

RUN ONCE: Friday, Feb 22, 2019

Send Proof of Publication to: Linda W. Cox, City Clerk

CITY OF FORT PIERCE
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ORDINANCE NO. 19-010 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5, ARTICLE I, OF THE CODE OF ORDINANCES ENTITLED "BUILDING CODE", SECTIONS 5-1.102.9, 5-1.103.3 AND 5-1.103.5 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; AMENDING SECTION 5-1.140 BY ABOLISHING THE FORT PIERCE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS, PROVIDING FOR APPEAL RIGHTS PURSUANT TO FLORIDA STATE STATUTE; REPEALING SECTIONS 5-1.140.1 THROUGH 5-1.140.6.2; AMENDING CHAPTER 5, ARTICLE VII ENTITLED "PERMIT FEES", SECTION 5-268 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; AMENDING CHAPTER 5, ARTICLE XIII ENTITLED "PROPERTY MAINTENANCE AND HOUSING CODE", SECTION 5-365 TO EXCLUDE APPEAL PROVISIONS OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE AND SUBSTITUTING THE RIGHT TO A HEARING PROCESS THEREIN; AMENDING CHAPTER 15 ENTITLED "SIGNS AND BILLBOARDS", SECTION 15-8 BY DELETING REFERENCES TO THE CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS; AMENDING VARIOUS PROVISIONS FOR GRAMMATICAL CORRECTNESS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

ORDINANCE NO. 19-011 - AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, REPEALING CHAPTER 5, ARTICLE VIII OF THE CODE OF ORDINANCES ENTITLED "SWIMMING POOLS" AND ALL SECTIONS CONTAINED THEREIN; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

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/s/ Linda W. Cox, City Clerk

Publish: 2/22/2019