

PROPOSED  
ORDINANCE NO. 09-19

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 14-1-136 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA ENTITLED "DEMOLITION"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 14-1-136 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 14-1-136. - Demolition.

- (a) The demolition of buildings and structures shall be controlled by provisions of the Florida Building Code and the International Property Maintenance Code, as adopted herein, by those additional provisions, outlined for special review districts, contained in Chapter 12-2, Code of the City of Pensacola and those guidelines as established in this part.
- (b) No building or structure shall be demolished, razed, dismantled or removed in whole or in part without first obtaining a permit issued by the Building Official of the city. A permit issued for demolition shall be valid for ninety (90) days. Extensions for periods not exceeding thirty (30) days each may be granted in writing by the building official.
- (c) ~~Applications for demolition permits must include written proof that residents within a three hundred foot radius of the property of proposed demolition have been provided notice of the intent to demolish with an estimated date of demolition. This proof of notification shall be evidenced by the signature(s) of the resident and/or property owner on the provided form. Also included must be an affidavit, signed by the applicant or the property owner, indicating that all gas, water and electrical utilities have been cut off or disconnected. Utilities shall be cut off at the property line or off premises when a building or structure is to be totally demolished.~~

Applications for demolition permits must include written certification by the applicant that reasonable steps have been taken to provide notice to residents within a three hundred-foot radius of the property of the proposed demolition and the intended date upon which demolition will commence once a permit is obtained. This certification must be included in affidavit form, signed by the applicant or the property owner, also indicating that all gas, water and electrical utilities have been cut off or disconnected Utilities shall be cut off at the property line or off premises when a building or structure is to be totally demolished.

- (d) After the issuance of permit, the permit holder shall be responsible for placing a sign on the property where demolition is to take place. The sign shall be a minimum of 11" X 17" in

size and mounted at a minimum for four (4) feet above the ground. The sign shall have black lettering with a contrasting white background, have block style lettering a minimum of three (3) inches in height and shall state "NOTICE OF DEMOLITION" with a phone number for contact included. The sign shall be of a material that is durable, laminated or other weather resistant material. Also posted shall be the demolition permit or a copy thereof.

- ~~(d)~~ (e) Demolition permits for structures larger than three thousand (3,000) square feet in floor area or over thirty-five (35) feet in height at any point shall require a current certificate of insurance showing general liability coverage of at least three hundred thousand dollars (\$300,000.00), per occurrence and per accident, for products and completed operations.
- ~~(e)~~ (f) When required by the Building Official, the Florida Building Code, ~~or by the International Property Maintenance Code,~~ or City Ordinance, as adopted herein, barricades and other shielding shall be used to protect adjacent property and the public; to include dust control and/or mediation. At the end of each working day the remainder of the structure shall be left in a stable condition with no dangerous unsupported roofs, walls or other elements. Fencing or continuous security guard(s) may be required.
- ~~(f)~~ (g) All footings, foundations, piers, etc. of one- and two-family dwellings which have been demolished, shall be removed to a depth of not less than twelve (12) inches below the natural ground level. Utility supply and sewer piping shall be removed so as to be flush with grade level. The footings, foundations, utility supply and sewer piping and all pilings of structures larger than a one- or two-family dwelling shall be removed to not less than four (4) feet below the natural ground level. Remaining sections of footings, foundations, pilings, and piping may be buried provided they have not been disturbed from their original position and are surrounded by compacted earth or other permitted backfill. All excavations are to be filled to the natural grade; unnatural hills or mounds of earth are to be leveled or removed.
- ~~(g)~~ (h) Debris and waste materials shall not be allowed to accumulate or be buried on the premises. Usable, recyclable by products of demolition including, but not limited to, steel beams and rip-rap may be stored only where permitted by the provisions of Chapter 12-2, Code of the City of Pensacola.
- ~~(h)~~ (i) Demolition work shall be conducted in compliance with the noise regulations for construction as well as applicable nuisance ordinances contained in the Code of the City of Pensacola.
- ~~(i)~~ (j) The owner of a building or structure or his duly authorized agent may appeal a decision or requirement of the Building Official, concerning demolition, to the Construction Board of Adjustment and Appeals. Filing of an appeal will stay the work until a decision has been rendered by the board. When an appeal is made, the Building Official shall require appropriate safeguards to protect the public and adjacent buildings. If deemed necessary, an immediate meeting of the Construction Board of Adjustment and Appeals shall be called by the chair of the board.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given

effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk