

PROPOSED
ORDINANCE NO. 11-21

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTIONS 14-2-132 AND 14-2-133 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ADOPTING THE PENSACOLA REGULATIONS TO IMPLEMENT CHAPTER 1 OF THE FLORIDA BUILDING CODE; ADOPTING APPENDICES J AND Q OF THE FLORIDA BUILDING CODE, RESIDENTIAL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 14-2-132 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 14-2-132. - Florida Building Code—Administrative Amendments.

The Florida Building Code permits local governments to adopt amendments that are more stringent than the minimum standards in state statutes and amendments to the administrative provisions of the Florida Building Code that apply solely within the jurisdiction of the local government. Pursuant to the provisions of F.S. § 553.73(4)(a), the following amendments are adopted and applicable within the city limits, with such amendments to be transmitted to the Florida Building Commission within thirty days after enactment:

(1) Administration. Chapter 1 of the Florida Building Code 7th edition (2020) is hereby adopted with revisions promulgated by the building official pursuant to authority provided by Florida law as reflected in a copy of such revisions on file and available to the public in the Inspection Services Department. The building official is further authorized to revise such provisions as may be warranted and authorized by the Florida Building Code.

(2) Adoption of Appendices to the Florida Building Code. Appendix J (Existing Buildings and Structures) and Appendix Q (Tiny Houses) of the Florida Building Code 7th edition (2020) are hereby adopted.

(3) Pool safety. At the time of excavation and during construction of a swimming pool an effective safety barrier as defined in section 424.2.2 of the Florida Building

Code shall be installed and maintained so as to enclose all four sides of the excavation or swimming pool whenever persons constructing the pool are not at the site and the permanent enclosure has not been installed.

SECTION 2. Section 14-2-133 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 14-2-133. - Local government amendments to Florida Building Code – Technical Amendments.

The Florida Building Code permits local governments to adopt amendments which are more stringent than the minimum standards in state statutes, and amendments to the technical provisions of the Florida Building Code which apply solely within the jurisdiction of the local government. Pursuant to the provisions of F.S. § 553.73(4), the following amendments are adopted and applicable within the city limits:

- (1) Section 1612.4.2 of the Florida Building Code, Building, is amended to provide: Elevation requirements. The minimum elevation requirements shall be as specified in ASCE 24 or the base flood elevation plus three feet (914 mm), whichever is higher.
- (2) Section R322.2.1 of the Florida Building Code, Residential, is amended to provide:

R322.2.1 Elevation requirements.

1. Buildings and structures in flood hazard areas including flood hazard areas designated as Coastal A Zones, shall have the lowest floors elevated to or above the base flood elevation plus three feet (914 mm), or the design flood elevation, whichever is higher.
2. In areas of shallow flooding (AO zones), buildings and structures shall have the lowest floor (including basement) elevated to a height above the highest adjacent grade of not less than the depth number specified in feet (mm) on the FIRM plus three feet (914 mm), or not less than three feet (915 mm) if a depth number is not specified.
3. Basement floors that are below grade on all sides shall be elevated to or above base flood elevation three feet (914 mm), or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements with floors that are not below grade on all sides, shall meet the requirements of section 322.2.2.

- (3) Section R322.2.2 of the Florida Building Code, Building, is amended to provide:

R322.2.2 Enclosed areas below design flood elevation.

Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. The limitation on partitions does not apply to load bearing walls interior to perimeter wall (crawl space) foundations. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

(4) Section R322.3.2 of the Florida Building Code, Building, is amended to provide: R322.3.2 Elevation requirements.

1. Buildings and structures erected within coastal high-hazard areas and Coastal A Zones, shall be elevated so that the bottom of the lowest horizontal structure members supporting the lowest floor, with the exception of pilings, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus three feet (914 mm) or the design flood elevation, whichever is higher.
2. Basement floors that are below grade on all sides are prohibited.
3. The use of fill for structural support is prohibited.
4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.
5. Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of sections R322.3.4 and R322.3.5.

(5) Section R322.3.4 of the Florida Building Code, Building, is amended to provide: R322.3.4 Walls below design flood elevation.

Walls are permitted below the elevated floor, provided that such walls are not part of the structural support of the building or structure and:

1. Electrical, mechanical, and plumbing system components are not to be mounted on or penetrate through walls that are designed to break away under flood loads; and

2. Are constructed with insect screening or open lattice; or
3. Are designed to break away or collapse without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Such walls, framing and connections shall have a design safe loading resistance of not less than ten (470 Pa) and no more than 20 pounds per square foot (958 Pa); or
4. Where wind loading values of this code exceed 20 pounds per square foot (958 Pa), the construction documents shall include documentation prepared and sealed by a registered design professional that:
 - 4.1. The walls below the design flood elevation have been designed to collapse from a water load less than that which would occur during the design flood.
 - 4.2. The elevated portion of the building and supporting foundation system have been designed to withstand the effects of wind and flood loads acting simultaneously on all building components (structural and nonstructural). Water loading values used shall be those associated with the design flood. Wind loading values used shall be those required by this code.

(6) Section R322.3.5 of the Florida Building Code, Building, is amended to provide:

R322.3.5 Enclosed areas below the design flood elevation.

Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators, unless a partition is required by the fire code. Access to enclosed areas shall be the minimum necessary to allow for the parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the building (stairway or elevator).

SECTION 3. 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 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5. 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