



## City of Eustis

P.O. Drawer 68 • Eustis, Florida 32727-0068 • (352) 483-5430

TO: Eustis City Commission

FROM: Tom Carrino, City Manager

DATE: April 4, 2024

RE: ORDINANCE NUMBER 24-20: AMENDMENT TO CHAPTER 118, CONSTRUCTION STANDARDS, OF THE LAND DEVELOPMENT TO UPDATE REFERENCE TO THE STATE OF FLORIDA CODES ADOPTED BY REFERENCE (EDITION AND YEAR)

### **Introduction:**

The 1998 Florida Legislature amended Chapter 553, Florida Statutes, Building Construction Standards, to create a single state building code that is enforced by local governments. As of March 1, 2002, the Florida Building Code, which is developed and maintained by the Florida Building Commission, supersedes all local building codes.

The Florida Building Code is updated every three years and may be amended in the interim in accordance with criteria set out in Section 553.73, Florida Statutes.

Ordinance 24-20 amends Chapter 118, Construction Standards, of the Land Development Regulations to update reference State codes adopted by reference (edition and year).

### **Background:**

Periodic revisions and updates to the Land Development Regulations are needed to update references to State code and for practical application of the code. The following outlines the proposed amendments.

1. Update to reflect the 2023 Florida Building Code 8<sup>th</sup> Edition
2. Update to reflect the 2020 National Electrical Code
3. Update to reflect the 2023 Florida Fire Prevention Code 8<sup>th</sup> Edition
4. Update to reflect the 2024 International Property Maintenance Code

### **Community Input:**

Development Services has properly advertised the Ordinance and there is an opportunity for community input at the public hearing.

**Recommended Action:**

The Administration recommends approval of Ordinance Number 24-20.

**Budget/Staff Impact:**

None

**Prepared By:**

Mike Lane, AICP, Director, Development Services

**Attachment:**

Ordinance Number 24-20

**ORDINANCE NUMBER 24-20**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF EUSTIS, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS, SECTION 118 CONSTRUCTION STANDARDS; PROVIDING FOR CODIFICATION, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the Eustis City Commission adopted revised Land Development Regulations under Ordinance 09-33 on July 16, 2009, amended by Ordinance 15-13 on October 1, 2015, Ordinance 16-18 on April 7, 2016, Ordinance 16-13 on May 19, 2016, Ordinance 16-31 on December 15, 2016, Ordinance 17-17 on November 2, 2017, Ordinance 19-12 on June 6, 2019, Ordinance 19-22 on August 1, 2019, and Ordinances 20-44, 20-45, 20-46 on November 19, 2020, AND Ordinance Number 21-09 on June 17, 2021; and

**WHEREAS**, the City Commission finds it necessary to periodically revise and update the Land Development Regulations; and

**WHEREAS**, the City Commission finds that revisions are necessary to for consistency with State law and for clarification; and

**NOW, THEREFORE, THE COMMISSION OF THE CITY OF EUSTIS HEREBY ORDAINS:**

**SECTION 1.**

That the following portions of Chapter 118, City of Eustis Land Development Regulations, are hereby amended as shown in the redline/strike through below; all other existing language, sections, paragraphs and subparagraphs shall remain in full force and effect:

**Sec. 118-2. - Florida Building Code—Building ([2023, 8th Edition](#)).**

The [2023](#) Florida Building Code, [8th Edition](#) is hereby adopted by reference, as amended, as the Building Code of the City, administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-3. - Florida Building Code—Mechanical ([2023, 8th Edition](#)).**

The [2023](#) Florida Building Code—Mechanical, [8th Edition](#) is hereby adopted by reference as the Mechanical Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-4. - Florida Building Code—Plumbing ([2023, 8th Edition](#)).**

The [2023](#) Florida Building Code—Plumbing, [8th Edition](#) is hereby adopted by reference as the Plumbing Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-5. - Florida Building Code—Fuel Gas (2023, 8th Edition).**

The [2023](#) Florida Building Code—Fuel Gas, 8th Edition is hereby adopted as the Gas Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-6. - Florida Building Code—Residential (2023, 8th Edition).**

The 2020 Florida Building Code—Residential, 8th Edition is hereby adopted as the Residential Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-7. - Florida Building Code—Existing building (2023, 8th Edition).**

The [2023](#) Florida Building Code—Existing Building, 8th Edition is hereby adopted as the existing Building Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-8. – Florida Energy Conservation Code (2023, 8th Edition)**

The [2023](#) Florida Energy Conservation Code, 8th Edition, is hereby adopted by reference as the Energy Code of the City, and administered by the Building Official.

**Sec. 118-9. – Florida Accessibility Code (2023, 8th Edition)**

The [2023](#) Florida Accessibility Code, 8th Edition is hereby adopted by reference as the Electrical Code of the City, and administered by the Building Official.

**Section 118-10 International Property Maintenance Code ( 2024 Edition).**

The [2024](#) International Property Maintenance Code, excluding sections 103, 106.2 through 106.5, 107, 110, 111, 112.4, 302.4 and 304.14, is hereby adopted as the Housing Code of the City, and administered by the Building Official. The appendices thereto are expressly not adopted.

**Sec. 118-11. - National Electric Code (2020).**

The [2020](#) National Electric Code, as compiled by the National Fire Protection Association, is hereby adopted by reference as the Electrical Code of the City, and administered by the Building Official.

**Sec. 118-12. - Florida Fire Prevention Code (2023, 8th Edition).**

The [2023](#) Florida Fire Prevention Code, 8th Edition, as compiled by the Department of Financial Services, Division of State Fire Marshal, is hereby adopted by reference as the Fire Prevention Code of the City, and administered by the Fire Chief. This code includes NFPA 1, Uniform Fire Code, and NFPA 101, Life Safety Code.

**SECTION 2.**

That all Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**SECTION 3.**

That it is the intention of the City Commission of the City of Eustis that the provisions of this Ordinance shall become and be made a part of the Land Development Regulations in the City of Eustis Code of Ordinances and that the sections of this Ordinance may be re-numbered or re-lettered and the word "Ordinance" may be changed to "Section", "Article", or such other appropriate word or phrase to accomplish such intentions.

**SECTION 4.**

That should any section, phrase, sentence, provision, or portion of this Ordinance be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

**SECTION 5.**

That this Ordinance shall become effective upon passing.

**PASSED, ORDAINED AND APPROVED** in Regular Session of the City Commission of the City of Eustis, Florida, this 18th day of April, 2024.

**CITY COMMISSION OF THE  
CITY OF EUSTIS, FLORIDA**

\_\_\_\_\_  
Michael L. Holland  
Mayor/Commissioner

**ATTEST:**

\_\_\_\_\_  
Christine Halloran, City Clerk

**CITY OF EUSTIS CERTIFICATION**

**STATE OF FLORIDA  
COUNTY OF LAKE**

The foregoing instrument was acknowledged before me this 18th day of April, 2024 by Michael L. Holland, Mayor, and Christine Halloran, City Clerk, who are personally known to me.

\_\_\_\_\_  
Notary Public - State of Florida  
My Commission Expires:  
Notary Serial Number:

**CITY ATTORNEY'S OFFICE**

This document is approved as to form and legal content, but I have not performed an independent Title examination as to the accuracy of the Legal Description.

\_\_\_\_\_  
City Attorney's Office

\_\_\_\_\_  
Date

**CERTIFICATE OF POSTING**

The foregoing Ordinance Number 24-20 is hereby approved, and I certify that I published the same by posting one (1) copy hereof at City Hall, one (1) copy hereof at the Eustis Memorial Library, and one (1) copy hereof at the Eustis Parks and Recreation Office, all within the corporate limits of the City of Eustis, Lake County, Florida.

\_\_\_\_\_  
Christine Halloran, City Clerk