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ORDINANCE 2022-25 – AN ORDINANCE OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 9 “BUILDINGS AND STRUCTURAL REGULATIONS,” ARTICLE I “IN GENERAL,”; AMENDING SECTION 9-2.1 “CITY OF LAKE WORTH BEACH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODES ADOPTED,” BY ADOPTING BY REFERENCE AMENDMENTS TO THE CITY OF LAKE WORTH BEACH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE 2020 EDITION; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION AND AN EFFECTIVE DATE

WHEREAS, the City of Lake Worth Beach, Florida (the “City”) is a duly constituted municipality having such home rule power and authority conferred upon it by the Florida Constitution and Chapter 166, Florida Statutes; and

WHEREAS, pursuant to Ordinance No. 2020-19, the City adopted the 2020 Edition of the Florida Building Code and its administrative amendments thereto; and

WHEREAS, the Florida Legislature adopted Senate Bill 4-D (effective date May 26, 2022) which includes mandatory structural inspections for condominium and cooperative buildings (new Section 553.899, Florida Statutes) and amends Section 553.844, Florida Statutes, regarding windstorm loss mitigation and requirements for roofs and opening protection; and

WHEREAS, the City wishes to amend its administrative amendments to the Florida Building Code to include these legislative changes as set forth in **Exhibit A** which is attached hereto and incorporated herein; and

WHEREAS, the City Commission finds and declares that the adoption of these legislative changes into the City’s administrative amendments serves the public interest by strengthening and clarifying the proper administration of the Florida Building Code for the health, safety and welfare of the City, its residents and visitors.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH BEACH, FLORIDA, that:

Section 1: The foregoing “WHEREAS” clauses are incorporated into this Ordinance as true and correct findings of the City Commission.

Section 2: Chapter 9 “Buildings and Structural Regulations,” Article I “In General,” Section 9-2.1 “City of Lake Worth administrative amendments to the Florida Building Codes adopted” is hereby amended to read as follows:

48 **Sec. 9-2.1. – City of Lake Worth Beach administrative amendments to the Florida**
49 **Building Codes adopted.**

50 The City of Lake Worth Beach hereby adopts the Florida Building Code, 2020 Edition,
51 with administrative amendments as set forth in **Exhibit A** of Ordinance 2020-19, as
52 amended by **Exhibit A** of Ordinance 2022-25, which shall be in full force and effect as if
53 fully set out in this section.

54
55 **Section 3:** Directions to Clerk. In accordance with Section 553.73(4)(a), Florida
56 Statutes, if the City Commission adopts this Ordinance, the City Clerk is directed to
57 transmit a copy of this fully executed Ordinance along with **Exhibit A** to the Florida
58 Building Commission within thirty (30) days of adoption by the City Commission.

59
60 **Section 4:** Severability. If any section, subsection, sentence, clause, phrase or
61 portion of this Ordinance is for any reason held invalid or unconstitutional by any court of
62 competent jurisdiction, such portion shall be deemed a separate, distinct, and
63 independent provision, and such holding shall not affect the validity of the remaining
64 portions thereof.

65
66 **Section 5:** Repeal of Laws in Conflict. All ordinances or parts of ordinances in
67 conflict herewith are hereby repealed to the extent of such conflict.

68
69 **Section 6:** Codification. The sections of the ordinance may be made a part of
70 the City Code of Laws and ordinances and may be re-numbered or re-lettered to
71 accomplish such, and the word “ordinance” may be changed to “section”, “division”, or
72 any other appropriate word.

73
74 **Section 7:** Effective Date. This ordinance shall become effective 10 days after
75 passage.

76
77 The passage of this ordinance on first reading was moved by
78 _____, seconded by _____, and upon being
79 put to a vote, the vote was as follows:

- 80
81 Mayor Betty Resch
82 Vice Mayor Christopher McVoy
83 Commissioner Sarah Malega
84 Commissioner Kimberly Stokes
85 Commissioner Reinaldo Diaz

86
87 The Mayor thereupon declared this ordinance duly passed on first reading on the
88 _____ day of _____, 2022.

89
90
91 The passage of this ordinance on second reading was moved by
92 _____, seconded by _____, and upon being put to a vote,
93 the vote was as follows:

- 94
- 95 Mayor Betty Resch
- 96 Vice Mayor Christopher McVoy
- 97 Commissioner Sarah Malega
- 98 Commissioner Kimberly Stokes
- 99 Commissioner Reinaldo Diaz

100
 101 The Mayor thereupon declared this ordinance duly passed on the _____ day of
 102 _____, 2023.

103
 104

LAKE WORTH BEACH CITY COMMISSION

105
 106

By: _____
 Betty Resch, Mayor

107
 108

111 ATTEST:

109
 110

112
 113
 114 _____
 115 Melissa Ann Coyne, City Clerk
 116