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ORDINANCE NO. 2024-04 OF THE CITY OF LAKE WORTH BEACH, FLORIDA, AMENDING CHAPTER 9, "BUILDINGS AND STRUCTURAL REGULATIONS", ARTICLE I, "IN GENERAL", SECTION 9-2, "BUILDING CODE ADOPTED", BY ADOPTING THE 2023 BUILDING CODE; AMENDING SECTION 9-2.1, "CITY OF LAKE WORTH BEACH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODES ADOPTED", BY ADOPTING BY REFERENCE THE CITY OF LAKE WORTH BEACH ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE 2023 EDITION; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, pursuant to the home rule powers of the City of Lake Worth Beach granted by Chapter 166, Florida Statutes, the City has the authority to exercise its police powers and regulatory powers to protect the health, safety and welfare of its citizens; and

WHEREAS, the Florida Building Commission has adopted by rule, pursuant to sections 120.536(1) and 120.54, Florida Statutes, the 2023 Edition of the Florida Building Code; and

WHEREAS, subject to the provisions of the law, responsibility for enforcement, interpretation, and regulation of the Florida Building code shall be vested in a specified local government; and

WHEREAS, local governments may adopt amendments to the administrative provisions of the Florida Building Code, subject to the limitations of section 553.73(4)(a), Florida Statutes; and

WHEREAS, the adoption of administrative amendments serves the public interest by strengthening and clarifying the proper administration of the Florida Building Code, which includes building, electrical, plumbing, mechanical, and other technical codes, for the health, safety, and general welfare of the citizens of the City of Lake Worth Beach.

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 ratified and confirmed as being true and correct and are made a specific part of this Ordinance as if set forth herein.

Section 2. Chapter 9, "Buildings and Structural Regulations", Article I, "In General", Section 9-2., "Building code adopted" is hereby amended as follows (added words are underlined and deleted words are ~~struck through~~):

Sec. 9-2. - Building code adopted.

The Florida Building Commission has adopted, by rule, pursuant to F.S. §§ 120.536(1) and 120.54, the ~~2020~~ 2023 edition of the Florida Building Code, which contains or incorporates by reference all laws and rules that pertain to and govern the design, construction, erection, alteration, modification, repair, and demolition of public and private buildings and structures, and the enforcement of such laws and rules.

49 Section 3. Chapter 9, "Buildings and Structural Regulations", Article I, "In General", Section
50 9-2.1, "City of Lake Worth Beach administrative amendments to the Florida Building Codes
51 adopted" is hereby amended as follows (added words are underlined and deleted words are
52 ~~struck through~~):
53

54 **Sec. 9-2.1. - City of Lake Worth Beach administrative amendments to the Florida Building**
55 **Codes adopted.**

56 The City of Lake Worth Beach hereby adopts the Florida Building Code, ~~2020~~ 2023 Edition,
57 with administrative amendments as set forth in Exhibit A of Ordinance ~~2020-19~~, ~~as amended by~~
58 ~~Exhibit A of Ordinance No. 2022-25~~, 2024-04, which shall be in full force and effect as if fully set
59 out in this section.

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

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

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

72 Section 7. Effective Date. This ordinance shall become effective on ten (10) days after passage.

73 The passage of this ordinance on first reading was moved by Commissioner Malega,
74 seconded by Vice Mayor McVoy, and upon being put to a vote, the vote was as follows:
75

76	Mayor Betty Resch	AYE
77	Vice Mayor Christopher McVoy	AYE
78	Commissioner Sarah Malega	AYE
79	Commissioner Kimberly Stokes	AYE
80	Commissioner Reinaldo Diaz	AYE

81
82 The Mayor thereupon declared this ordinance duly passed on first reading on the 16th day
83 of January, 2024.
84

85
86 The passage of this ordinance on second reading was moved by Commissioner
87 _____, seconded by Commissioner _____, and upon being put to a vote, the
88 vote was as follows:
89

90	Mayor Betty Resch
91	Vice Mayor Christopher McVoy
92	Commissioner Sarah Malega
93	Commissioner Kimberly Stokes
94	Commissioner Reinaldo Diaz

95

96 The Mayor thereupon declared this ordinance duly passed and enacted on the _____ day
97 of _____, 2024.

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LAKE WORTH BEACH CITY COMMISSION

101

102

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By: _____

104

Betty Resch, Mayor

105 ATTEST:

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Melissa Ann Coyne, MMC, City Clerk

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