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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.

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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.

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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.

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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.

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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.

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

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

79		
80	Mayor Betty Resch	AYE
81	Vice Mayor Christopher McVoy	AYE
82	Commissioner Sarah Malega	AYE
83	Commissioner Kimberly Stokes	AYE
84	Commissioner Reinaldo Diaz	AYE
85		

86 The Mayor thereupon declared this ordinance duly passed on first reading on the  
87 6<sup>th</sup> day of December, 2022.

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

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

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

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LAKE WORTH BEACH CITY COMMISSION

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By: \_\_\_\_\_  
Betty Resch, Mayor

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110 ATTEST:

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114 \_\_\_\_\_  
Melissa Ann Coyne, City Clerk

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