

ORDINANCE NO. 4163

AN ORDINANCE OF THE CITY OF RIVIERA BEACH, PALM BEACH COUNTY, FLORIDA, AMENDING CHAPTER 22 OF THE CITY'S CODE OF ORDINANCES ENTITLED "BUILDINGS AND BUILDING REGULATIONS", ARTICLE II, "BUILDING AND TECHNICAL CODES", SECTION 22-37—22-60 "RESERVED", AND ADOPTING BY REFERENCE A NEW PROPERTY MAINTENANCE CODE ENTITLED "RIVIERA BEACH PROPERTY MAINTENANCE CODE" ; PROVIDING FOR CONFLICTS, SEVERABILITY AND CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 553, Florida Statutes, Part IV, the legislature provided for the adoption and enforcement of a single unified state building code, entitled the "Florida Building Code"; and

WHEREAS, the aforementioned Florida Building Code primarily addresses new construction and the City should have a code that addresses existing buildings, premises and property maintenance; and

WHEREAS, the International Code Council publishes and recommends adoption of the International Property Maintenance Code; and

WHEREAS, the City of Riviera Beach has certain conditions that warrant a code adapted specifically for local conditions; and

WHEREAS, the City Council of Riviera Beach finds that the adoption of the Riviera Beach Property Maintenance Code will greatly promote the health, safety and welfare of the residents of the City of Riviera Beach.

NOW, THEREFORE, be it hereby ordained by the City Council of the City of Riviera Beach, Palm Beach County, Florida as follows:

SECTION 1: The foregoing recitals are ratified and confirmed as being true and correct and are made a specific part of this Ordinance.

SECTION 2: Chapter 22, "Buildings and Building Regulations", Article II, "Building and Technical Codes" Section 22-37 through Section 22-60, of the City's Code of Ordinances is hereby amended to read as follows (additions are underlined and deletions appear in strikethrough format):

* * *

Secs. 22-37—22-60. —Reserved. Riviera Beach Property Maintenance Code

The City of Riviera Beach hereby adopts by reference the Riviera Beach Property Maintenance Code, attached hereto and by this reference made part hereof. A copy of the Riviera Beach Property Maintenance Code shall be kept on file in the Department of Development Services, Building Division, and shall be available for public inspection upon request.

Secs. 22-38—22-60. - Reserved.

* * *

SECTION 3: Repeal of Laws in Conflict

All ordinances or parts thereof or parts of the Code conflicting or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict.

SECTION 4: Severability

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance, after the exclusion of such part or parts shall be deemed to be held valid as if such part or parts had not been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

SECTION 5: Savings Clause

All enforcement orders, ongoing enforcement actions and all other actions of the City Council, Special Magistrate/Special Master/Hearing Officer/Enforcement Boards, issued pursuant to the regulations and procedures established prior to the effective date of this Ordinance shall remain in full force and effect.

SECTION 6: Inclusion in Code

It is the intention of the City Council, entered as hereby ordained, that the provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of the City of Riviera Beach, Florida; that the Section(s) of this Ordinance may be renumbered or re-lettered to accomplish such intention, and that the word “Ordinance” may be changed to “Section”, “Article” or another word.

SECTION 6: Effective Date

The provisions of this Ordinance shall become effective _____, 2021 or upon any amended effective date of the Florida Building Code by the Florida Legislature.

PASSED AND APPROVED on the first reading this _____ day of _____ 2021.

PASSED AND ADOPTED on second and final reading this _____ day of _____ 2021.

The remainder of this page is intentionally left blank.

APPROVED:

RONNIE L. FELDER
MAYOR

SHIRLEY D. LANIER
CHAIRPERSON

Attest:

KASHAMBA MILLER-ANDERSON
CHAIR PRO TEM

CLAUDENE L. ANTHONY
CERTIFIED MUNICIPAL CLERK
CITY CLERK

TRADRICK MCCOY
COUNCILPERSON

JULIA A. BOTEL, Ed. D.
COUNCILPERSON

DOUGLAS A. LAWSON
COUNCILPERSON

1st Reading

2nd & Final Reading

MOTIONED BY: _____

MOTIONED BY: _____

SECONDED BY: _____

SECONDED BY: _____

T. MCCOY: _____

T. MCCOY: _____

K. MILLER-ANDERSON: _____

K. MILLER-ANDERSON: _____

S. LANIER: _____

S. LANIER: _____

J. BOTEL: _____

J. BOTEL: _____

D. LAWSON: _____

D. LAWSON: _____

Reviewed As To Legal Sufficiency

Dawn Wynn, City Attorney

Date: _____