

ORDINANCE NO. L-252

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AMENDING CHAPTER 5 ARTICLE I OF THE CODE OF ORDINANCES ENTITLED "BUILDING CODE"; AMENDING SECTION 5-1.102.9, "WORDS DEFINED", TO CHANGE THE DEFINITION OF **BASIC WIND SPEED LINE** TO COMPLY WITH FLORIDA BUILDING CODE AND **SUBSTANTIAL IMPROVEMENT** TO READ THE SAME AS SECTION 5-316; AND AMENDING SECTION 5-1.131.1 "WIND LINES", TO CHANGE THE WIND SPEEDS AND WIND LINES TO COMPLY WITH THE FLORIDA BUILDING CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, the wind speeds and wind speed lines for our area will change when the 2010 Florida Building Code goes into effect on March 15, 2012. Additionally, we are changing the definition of substantial improvement to match changes currently being made in Section 5-316.

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fort Pierce, Florida as follows:

**SECTION 1.** Article I, Chapter 5, of the Code of Ordinances, Section 5-1.102.9, is hereby amended to change the following definitions to read as follows:

**Basic Wind Speed Line.** As directed by the Florida Legislature the exact location of the wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores whenever possible as adopted by the Florida Building Code. The City of Ft. Pierce has two wind speeds, ~~140~~ 160 MPH and ~~130~~ 150 MPH. The windspeed line as indicated on the modified state map runs north to south in line extremely close to ~~U.S. Highway 1~~ 25th Street. ~~U.S. Highway 1~~ 25th Street is chosen to represent the windspeed line for the City of Fort Pierce. The windspeed line will run north to south down the center of ~~U.S. Highway 1~~ 25th Street. The land eastward of this line, including the barrier island shall be in the ~~140~~ 160 MPH wind zone. The land westward of this line shall be in the ~~130~~ 150 MPH wind zone. All projects shall be properly designed according to such windspeed zone.

**Substantial improvement.** ~~Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds a cumulative total of fifty (50) percent of the replacement value of the structure either:~~

- ~~(1) Before the repair or improvement is started; or~~
- ~~(2) If the structure has been damaged and is being restored, before the damage occurred.~~

~~For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions; or any alteration of a structure listed on the National Register of Historic Places or the State Inventory of Historic Places. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds a 60-month cumulative total of 50~~

percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures that have incurred "substantial damage" regardless of the actual repair work performed. This term does not, however include any repair or improvement of a structure to correct existing violations of State of Florida or local health, sanitary, or safety code specifications, which have been identified by the local Enforcement Official prior to the application for permit improvement, and which are the minimum necessary to assure safe living conditions. This term does not include any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

**SECTION 2.** Article I, Chapter 5, of the Code of Ordinances, Section 5-1.131, is hereby amended to read as follows:

Section 5-1.131 Wind Speed

Sec. 5-1.131.1 Wind Lines. As directed by the Florida Legislature the exact location of the wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores whenever possible as adopted by the Florida Building Code. The Florida Legislature established a modified version of the American Society of Civil Engineers' Standard 7, 1998 Edition (ASCE 7-98, as the wind protection requirement for the Florida Building Code (FBC).

The jurisdiction of the City of Fort Pierce has two wind speeds, ~~140~~ 160 MPH and ~~130~~ 150 MPH. The wind speed line as indicated on the modified state map runs north to south in the line extremely close to ~~U.S. Highway 1~~ 25th Street. ~~U.S. Highway 1~~ 25th Street is chosen to represent the wind speed line for the City of Ft. Pierce.

The wind speed line will run north to south down the center of ~~U.S. Highway 1~~ 25th Street. The land eastward of this line, including the barrier island shall be in the ~~140~~ 160 MPH wind zone. The land westward of this line shall be in the ~~130~~ 150 MPH wind zone. All projects shall be properly designed according to such wind speed zone. Both the modified state map and the chosen City of Fort Pierce wind line speed map will be kept on file in the Office of the City Clerk and in the Building Department.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further course or effect whatsoever.

**SECTION 4.** This ordinance is and the same shall become effective upon final passage hereof.

STATE OF FLORIDA)  
ST. LUCIE COUNTY)<sup>SS</sup>

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. L-252 was duly advertised by title only in the St. Lucie News Tribune on March 2, 2012; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on March 19, 2012; and was duly introduced, read by title only, and passed on second and final reading on April 2, 2012, by the City Commission of the City of Fort Pierce, Florida.

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IN WITNESS HEREWITH, we hereunto set our hands and affix the  
Official Seal of the City of Fort Pierce, Florida, this the 2nd day  
of April, 2012.

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MAYOR COMMISSIONER

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CITY CLERK

(CITY SEAL)