

ORDINANCE 2023-104

AN ORDINANCE OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE IX, GENERAL REGULATIONS, CHAPTER 96, FLORIDA BUILDING CODE, SUBCHAPTER 'BUILDING CODE', BY UPDATING REFERENCES TO THE FLORIDA BUILDING CODE; PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING FOR INCLUSION IN THE CITY OF PALM BAY CODE OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF PALM BAY, BREVARD COUNTY, FLORIDA, as follows:

SECTION 1. The City of Palm Bay Code of Ordinances, Title IX, General Regulations, Chapter 96, Florida Building Code, Subchapter 'Building Code', Section 96.01, Adopted, is hereby amended and shall henceforth read as follows:

"Section 96.01 ADOPTED.

(A) >>2023<< Florida Building Code 7th >>, 8th, << Edition or as amended - Building mandated by the State of Florida, and exclusive of Chapter 1 - Administration, is hereby recognized as the Building Code for the city.

(1) The city's administrative amendments to the >>2023<< Florida Building Code - Building, Chapter 1, Administration, are hereby adopted, and by reference, incorporated herein >>and provided<< as Exhibit A 04-20-23, and made a part of this section as if fully set forth herein. >>A copy of the 2023 Florida Building Code shall be available for reference thru the City Clerk's Office.<<

(B) >>2023<< Florida Building Code 7th >>, 8th, << Edition or as amended - Residential mandated by the State of Florida is hereby recognized as the Residential Building Code for the city.

(C) >>2023<< Florida Building Code 7th >>, 8th, << Edition or as amended - Plumbing mandated by the State of Florida is hereby recognized as the Plumbing Code for the city.

(D) >>2023<< Florida Building Code 7th >>, 8th, << Edition or as amended - Mechanical mandated by the State of Florida is hereby recognized as the Mechanical Code for the city.

(E) >>2023<< Florida Building Code 7th >>, 8th,<< Edition or as amended
- Fuel Gas mandated by the State of Florida is hereby recognized as the Fuel Gas Code for the city.

(F) >>2023<< Florida Building Code 7th >>, 8th,<< Edition or as amended
- Existing Building mandated by the State of Florida is hereby recognized as the Existing Building Code for the city.

(G) >>2023<< Florida Building Code 7th >>, 8th,<< Edition or as amended
- Accessibility mandated by the State of Florida is hereby recognized as the Accessibility Code for the city.

(H) >>2023<< Florida Building Code 7th >>, 8th,<< Edition or as amended
- Energy Conservation mandated by the State of Florida is hereby recognized as the Energy Conservation Code for the city.

(I) 2017 >>2020<< or as amended National Electrical Code - Electrical mandated by the State of Florida >>, and exclusive of Article 210.52,<< is hereby recognized as the Electrical Code for the City.

>>(1) Article 210.52 of the 2023 National Electrical Code is hereby adopted and, by reference, incorporated herein and provided as Exhibit B. A copy of Article 210.52 shall be available for reference thru the City Clerk's Office.<<

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SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed and all ordinances or parts of ordinances not in conflict herewith are hereby continued in full force and effect.

SECTION 3. It is the intention of the City Council of the City of Palm Bay that the provisions of this Ordinance shall be made a part of the City of Palm Bay Code of Ordinances and the sections may be renumbered to accomplish such intention.

SECTION 4. If any portion, clause, phrase, sentence or classification of this ordinance is held or declared to be either unconstitutional, invalid, inapplicable, inoperative or void, then such declaration shall not be construed to affect other portions of the ordinance; it is hereby declared to be the express opinion of the City Council of the

City of Palm Bay that any such unconstitutional, invalid, inapplicable, inoperative or void portion or portions of this ordinance did not induce its passage, and that without the inclusion of any such portion or portions of this ordinance, the City Council would have enacted the valid constitutional portions thereof.

SECTION 5. The provisions within this ordinance shall take effect December 31, 2023.

Read in title only at Meeting 2023-XX, held on _____, 2023; and read in title only and duly enacted at Meeting 2023-XX, held on _____, 2023.

Rob Medina, MAYOR

ATTEST:

Terese M. Jones, CITY CLERK

Reviewed by CAO: _____

Strikethrough words shall be deleted; highlighted words that will included will be placed in between two arrow symbols (>> <<). Deletions and additions constitute the proposed amendment. Words remaining are now in effect and remain unchanged.