

ORDINANCE NO. 13-03

AN ORDINANCE OF THE TOWN OF REDINGTON SHORES, FLORIDA, PERTAINING TO THE ADOPTION OF THE 2010 FLORIDA BUILDING CODE (FBC), EFFECTIVE MARCH 15, 2012; AMENDING SECTION 90-1 OF THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA", PERTAINING TO THE ADOPTION OF CODES BY REFERENCE TO SPECIFICALLY INCLUDE SUCH CODE AS BEING ADOPTED BY THE TOWN OF REDINGTON SHORES; PROVIDING FOR THE INCLUSION OF SUCH AMENDED ORDINANCE IN THE "CODE OF THE TOWN OF REDINGTON SHORES, FLORIDA"; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF REDINGTON SHORES, FLORIDA:

SECTION 1. That Section 90-1 of the Code of the Town of Redington Shores, Florida, is hereby amended as follows:

§ 90-1. Codes adopted by reference.

- A. The following codes, including their latest editions and revisions, now in effect or as hereinafter may be modified and amended, as adopted by the Pinellas County Construction Licensing Board under Chapter 75-489, Laws of Florida, Parts I and II, and/or adopted by this section, are hereby adopted by reference as the codes to be followed in the Town of Redington Shores, Florida: the Florida Building Codes (FBC), current edition, 2010 Florida Building Code (FBC), as effective March 15, 2012, as may be amended from time to time. Any reference made in this Chapter 90 to "Building Code" means the Florida Building Codes (FBC), or the current edition thereof if the same has been amended as foreseen above.
- B. The Planning and Zoning Board of the Town of Redington Shores, Florida, or, as applicable to the context, the Pinellas County Construction Licensing Board (PCCLB), is hereby designated as the Board of Adjustments and Appeals pursuant to the Land Development Regulations of the Town, the Florida Building Codes and the Florida Fire Code (See also [Section](#) § 90-126).
- C. The Building Officials of Florida Model Administrative Code as attached, and the following administrative amendments to the Florida Building Code, Building to specifically apply higher standards contained therein for Town Codes Enforcement.

1. The Florida Building Code, Building Sec. [Section](#) 104.10.1 is amended to read: Modifications of the strict application of the

requirements of the *Florida Building Code*. The Building Official shall coordinate with the Floodplain Administrator to review requests submitted to the Building Official that seek approval to modify the strict application of the flood resistant construction requirements of the *Florida Building Code* to determine whether such requests require the granting of a variance pursuant to Section 117.

- 2. The *Florida Building Code*, *Building Sec.* ~~Section~~ 107.6.1 is amended to read:** Building permits issued on the basis of an affidavit. Pursuant to the requirements of federal regulation for participation in the National Flood Insurance Program (44 C.F.R. ~~Section~~ § 59 and 60), the authority granted to the Building Official to issue permits, to rely on inspections, and to accept plans and construction documents on the basis of affidavits and plans submitted pursuant to ~~Section~~ § 105.14 and ~~Section~~ § 107.6, shall not extend to the flood load and flood resistance construction requirements of the *Florida Building Code*.
- 3. The *Florida Building Code*, *Building Sec.* ~~Section~~ 117 added to read:** Flood hazard areas. Pursuant to ~~Section~~ § 553.73(5), F.S., the variance procedures adopted in the local floodplain management ordinance shall apply to requests submitted to the Building Official for variances to the provisions of ~~Section~~ § 1612.4 of the *Florida Building Code, Building* or, as applicable, the provisions of ~~Section~~ R322 of the *Florida Building Code, Residential*. This section shall not apply to ~~Section~~ § 3109 of the *Florida Building Code, Building*.
- 4. The *Florida Building Code*, *Building Sec.* ~~Section~~ 1612.4.1 is amended to read:** Elevation requirements. The minimum elevation requirements shall be as specified in ASCE 24 or the base flood elevation plus 2 feet (610 mm), whichever is higher.
- 5. The *Florida Building Code*, *Residential Sec.* ~~Section~~ 322.2.1 is amended to read:**
Elevation requirements.
 1. Buildings and structures in flood hazard areas not designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet (610 mm) or the design flood elevation, whichever is higher.
 2. Buildings and structures in flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or above the base flood elevation plus 2 feet (610 mm) ~~1-foot (305 mm)~~, or to the design flood elevation, whichever is higher.
 3. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated at least as

high above the highest adjacent grade as the depth number specified in feet on the FIRM plus 2 feet (610 mm), or at least 4 feet (1220 mm) 2 feet (610 mm) if a depth number is not specified.

4. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus 2 feet (610 mm) or the design flood elevation, whichever is higher.

Exception: Enclosed areas below the design flood elevation, including basements whose floors are not below grade on all sides, shall meet the requirements of Section R322.2.2.

6. The Florida Building Code, Residential Sec. Section 322.2.2 is amended to read:

Elevation requirements.

1. All buildings and structures erected within coastal high-hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade beams and bracing, is:

1.1 Located at or above the base flood elevation plus 2 feet or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented parallel to the direction of wave approach, where parallel shall mean less than or equal to 20 degrees (0.35 rad) from the direction of approach, or

1.2 Located at the base flood elevation plus 3 feet 1 foot (305 mm), or the design flood elevation, whichever is higher, if the lowest horizontal structural member is oriented perpendicular to the direction of wave approach, where perpendicular shall mean greater than 20 degrees (0.35 rad) from the direction of approach.

2. Basement floors that are below grade on all sides are prohibited.

3. The use of fill for structural support is prohibited.

4. Minor grading, and the placement of minor quantities of fill, shall be permitted for landscaping and for drainage purposes under and around buildings and for support of parking slabs, pool decks, patios and walkways.

Exception: Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.4 and Section R322.3.5.

7. The Florida Building Code, Building Sec. Section 1612.2 is amended to read:

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a 5-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the

structure before the improvement or repair is started. For each building or structure, the 5-year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

8. The Florida Building Code, Existing Building Sec. Section 202 is amended to read:

SUBSTANTIAL IMPROVEMENT. Any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a 5-year period the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 5-year period begins on the date of the first improvement or repair of that building or structure subsequent to the effective date of this ordinance. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

SECTION 2. In all other respects, the provisions of Chapter ~~Section~~ Section 90-1 of the Land Development Regulations of the "Code of the Town of Redington Shores" not hereby amended or modified, shall remain in full force and effect.

SECTION 3. The provisions of this Ordinance and all parts and sub-parts thereof shall be deemed to be severable and independent of each other, and in the event any portion or subsection of this Ordinance is found to be invalid or unenforceable, such findings shall not affect any remaining portions of this Ordinance.

SECTION 4. It is the intention of the Town Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the "Code of the Town of Redington Shores" and the publisher of the Code of Ordinances may renumber, reclassify or otherwise insert this Ordinance in an appropriate place to accomplish such intention.

SECTION 5. This Ordinance shall take effect immediately upon its final passage.

FIRST READING on the ____ day of _____, 2012.

SECOND READING on the ____ day of _____, 2012.

PUBLIC HEARING on the ____ day of _____, 2012.

SECOND PUBLIC HEARING on the ____ day of _____, 2012.

PUBLISHED in the Tampa Bay Times on the ____ day of _____, 2012 and on the ____ day of _____, 2012.

MAYOR/COMMISSIONER

ATTEST:

Town Clerk