

ORDINANCE 2024-5

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE TOWN OF ST. LUCIE VILLAGE, FLORIDA, AMENDING SECTIONS 5.5.0 AND 5.8.0 OF THE ST. LUCIE VILLAGE LAND DEVELOPMENT CODE REGARDING THE BUILDING OFFICIAL'S DUTIES RELATED TO ISSUING CERTIFICATES OF ZONING COMPLIANCE AND BUILDING PERMITS SO THAT THE BUILDING OFFICIAL MAY ISSUE A CERTIFICATE OF ZONING COMPLIANCE AS TO A USE, AND MAY SEEK INPUT FROM THE VILLAGE ATTORNEY OR BOARD OF ALDERMEN, AND MAY ISSUE BUILDING PERMITS WITHOUT PRIOR APPROVAL OF THE BOARD OF ALDERMEN; AND, PROVIDING AN EFFECTIVE DATE.

Whereas, the St. Lucie Village Land Development Code, at Section 5.5.0, provides that the Building Official is authorized to issue a Certificate of Zoning Compliance, but the provision does not address the scenario in which the Building Official is uncertain or unable to determine whether a proposed development, improvement or use is in compliance;

Whereas, the Board of Aldermen notes that there may be occasions, such as in relation to occupational licenses or business tax receipts, on which a determination is needed concerning whether a use complies with the regulations contained in the St. Lucie Village Land Development code and it would be appropriate for the Building Official to issue a Certificate of Zoning Compliance on such matters, as well;

WHEREAS, the Board of Aldermen of the Town of St. Lucie Village, Florida, has previously, at Section 5.8.0 of St. Lucie Village Land Development Code, established the procedure for issuing building permits within the Town of St. Lucie Village, Florida;

WHEREAS, Section 5.8.0 currently vests the authority to issue a building permit in the Board of Aldermen;

WHEREAS, Section 468.604, *Florida Statutes*, provides that it is the responsibility of the Building Official to permit the installation of building systems and assure compliance with the Florida Building Code; and,

WHEREAS, the Board or Aldermen of the Town of St. Lucie Village, Florida, desires to conform Section 5.8.0 to Section 468.604, Florida Statutes;

NOW THEREFORE, the Board of Aldermen of the Town of St. Lucie Village, Florida hereby ordains:

1. The Town of St. Lucie Village Land Development Code Section 5.5.0 CERTIFICATE OF ZONING COMPLIANCE is hereby amended to read as follows:

Section 5.5.0 CERTIFICATE OF ZONING COMPLIANCE

(A) Authority

The Building Official is authorized to issue a Certificate of Zoning Compliance that a proposed use complies with the provisions of this Ordinance.

(B) Purpose

The purpose for issuing a Certificate of Zoning Compliance with the provisions of this Ordinance is to ensure that any proposed use within St. Lucie Village complies with this Ordinance.

(C) Certificate of Zoning Compliance Required

A Certificate of Zoning Compliance shall be required prior to the issuance of a Building Permit or a Sign Permit.

(D) Procedure

(1) Upon application for a Building Permit or a Sign Permit the Building Official shall determine whether such

application complies with the provisions of this Ordinance.

- (2) If the Building Official determines the proposed use complies with the provisions of this Ordinance and the St. Lucie Village Comprehensive Plan, he shall issue a Certificate of Zoning Compliance.
- (3) If the Building Official determines that the proposed use does not comply with the provisions of this Ordinance, the application shall be returned to the applicant accompanied by a written statement setting forth the provisions of this Ordinance with which the application does not comply.
- (4) If the Building Official is uncertain or is unable to determine whether a proposed use complies with this Ordinance or the St. Lucie Village Comprehensive Plan, then the Building Official may seek the input of the Village Attorney or an interpretation or determination by the St. Lucie Village Board of Aldermen before making a determination or issuing a Certificate of Zoning Compliance.

(E) Effect of Issuance

A Certificate of Zoning Compliance indicates that the proposed complies with this Ordinance. After issuance of a Certificate of Zoning Compliance, the Building Official shall provide a copy to the applicant and the Clerk for filing or further action as appropriate.

1. The Town of St. Lucie Village Land Development Code Section

5.8.0 BUILDING PERMIT is hereby amended to read as follows:

Section 5.8.0 BUILDING PERMIT

The erection, alteration, demolition or reconstruction of any building or structure shall not be commenced without obtaining a building permit from the Building Official. No building permit shall be issued for any development, improvement or use without a Certificate of Zoning Compliance.

All applications for a building permit shall be accompanied with three complete sets of plans for commercial and 2 sets for residential. The plans shall be approved and signed by the Building Official before issuance of a building permit and a complete set of the plans and a copy of the building permit shall be kept on file by the Village.

The Building Official shall specify a procedure of inspection of any structure or improvement under construction after issuance of the building permit.

Building permits shall be valid for a period of eighteen (18) months. If no actual construction begins during the first six(6) month period, the permit shall expire and a new permit must be applied for and issued before proceeding with construction.

A permit holder must get an approved inspection within six (6) months (180 Days) of the original permit issuance and every 6 months thereafter up to the 18 month permit expiration date. If not the permit shall expire unless application is made to the Building Official to extend the permit. The Building Official may at his discretion extend a permit for up to 6 months provided the development does not constitute a nuisance to the surrounding neighborhood and that the development appears to be in conformity with the codes and ordinances of this municipality.

2. This Ordinance shall be effective upon passage or as soon thereafter as permitted by law.

[Signature page and attestation follow]

PASSED AND APPROVED by the Board of Aldermen of the Town of St. Lucie Village on this ____ day of _____, 2024.

APPROVED:
BOARD OF ALDERMEN OF THE TOWN OF
ST. LUCIE VILLAGE, FLORIDA

By: _____
William G. Thiess, Mayor

ATTESTED:

By: _____
Paulette T. Burgess, Acting Clerk

I, Paulette T. Burgess, Acting Clerk of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, do hereby certify that this is a true and accurate copy of Ordinance **2024-5** which was duly introduced, read, and adopted at the regular meeting of the Board of Aldermen of the TOWN OF ST. LUCIE VILLAGE, FLORIDA, held this ____ day of _____, 2024.

Paulette T. Burgess, Acting Clerk