

AN ORDINANCE OF THE CITY OF ST. PETERSBURG, FLORIDA AMENDING CHAPTER 8 OF THE CITY CODE TO REPEAL AND REPLACE IN ITS ENTIRETY THE CURRENT SECTION 8-36.(c) WITH A NEW SECTION 8-36.(c) RELATING TO THE ADOPTION OF LOCAL ADMINISTRATIVE AND TECHNICAL AMENDMENTS TO THE FLORIDA BUILDING CODE; TO FORMAT EXISTING PROVISIONS TO BE CONSISTENT WITH THE FLORIDA BUILDING CODE; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166 – Municipalities, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the City of St. Petersburg, Florida and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare; and

WHEREAS, the City of St. Petersburg, Florida was accepted for participation in the National Flood Insurance Program on May 28, 1971 and the City Council desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, Chapter 553, Florida Statutes, was adopted by the Florida Legislature to provide a mechanism for the uniform adoption, updating, amendment, interpretation and enforcement of a state building code, called the Florida Building Code; and

WHEREAS, section 553.73(5), Florida Statutes, allows adoption of local administrative amendments to the Florida Building Code to implement the National Flood Insurance Program; and

WHEREAS, the City Council previously adopted requirements to (1) require declarations of land restriction (nonconversion agreements) for enclosures below elevated buildings; (2) limit partitioning of enclosed areas below elevated buildings and to limit access to enclosed areas; and (3) include repetitive flood damage over a 10-year period in the definition of “substantial damage” for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program’s Community Rating System and, pursuant to section

553.73(5), F.S., is formatting those requirements to coordinate with the *Florida Building Code*; and

WHEREAS, the City Council is adopting requirements to (1) codify existing City practice of inspecting enclosures below elevated buildings for which owners have executed nonconversion agreements; (2) require submission of operations and maintenance plans with application for dry floodproofing; and (3) modify coastal high hazard area requirements for application in Coastal A Zones for buildings and structures in flood hazard areas for the purpose of participating in the National Flood Insurance Program's Community Rating System and, pursuant to section 553.73(5), F.S., is formatting those requirements to coordinate with the *Florida Building Code*; and

WHEREAS, the City Council has determined that it is in the public interest to adopt the proposed local technical amendments to the *Florida Building Code* and the proposed amendments are not more stringent than necessary to address the need identified, do not discriminate against materials, products or construction techniques of demonstrated capabilities, and are in compliance with section 553.73(4), Florida Statutes.

THE CITY OF ST. PETERSBURG, FLORIDA, DOES ORDAIN:

Section 1. The Florida Building Code (FBC), previously adopted by the City in Chapter 8 of the City Code, is hereby amended by repealing and removing Section 8-36.(c) in its entirety and adopting a new Section 8-36.(c), and making the following administrative and technical amendments to the FBC, to read as follows:

Sec. 8-36. Administrative amendments to the Florida Building Code.

* * *

(c) The following additional amendments are made to the Florida Building Code:

(1) *Administrative amendments to the Florida Building Code, Building.*

Modify Sec. 104.10.1 as follows:

104.10.1 *Flood Hazard Areas. Reserved. Modifications of the strict application of the requirements of the Florida Building Code. The Building Official shall review requests 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.*

Modify Sec. 107.3.5 as follows:

107.3.5 *Minimum plan review criteria for buildings.*

Commercial Buildings: Building

8. Structural requirements shall include:

Flood design requirements in accordance with Section 1612, including lowest floor elevations, enclosures, declaration of land restriction (non-conversion agreement), flood damage-resistant materials, base flood elevation plus any required freeboard to establish the lowest floor elevation. Dry floodproofing non-residential structure certification, Coastal A Zone and V/VE Zone design certification in accordance with section 1612.5.

Residential (one- and two-family)

6. Structural requirements shall include:

Flood design requirements in accordance with section 322 including, flood hazard areas, flood zones, design flood elevations, lowest floor elevations, enclosures, declaration of land restriction (non-conversion agreement), equipment, and flood damage-resistant materials, base flood elevation plus any required freeboard to establish the lowest floor elevation, Coastal A Zone and V/VE Zone design certification in accordance with section R322.3.5.

Modify Sec. 110.3 as follows:

110.3 Required inspections.

The building official upon notification from the permit holder or his or her agent shall make the following inspections, and shall either release that portion of the construction or shall notify the permit holder or his or her agent of any violations which must be corrected in order to comply with the technical codes. The building official shall determine the timing and sequencing of when inspections occur and what elements are inspected at each inspection.

Building

6. Final Inspection. To be made after the building is complete and ready for occupancy.

6.1 In Flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.

6.2 In Flood hazard areas, as part of the final inspection, the design professional shall submit a completed, FEMA Non-Residential Flood Proofing Certification form 086-0-34 for any flood proofed structure to certify the floodproofed structure as built condition complies with ASCE 24.

6.3 In Coastal A Zones and V/VE Zones, as part of the final inspection, the design professional shall submit a compliance affidavit indicating that the as built construction complies with ASCE 24.

9. Manufactured building inspections. The building department shall inspect construction of foundations; connecting buildings to foundations; installation of parts identified on plans as site installed items, joining the modules, including utility crossovers; utility connections from the building to utility lines on site; and any other work done on site which requires compliance with the Florida Building Code. Additional inspections may be required for public educational facilities (see Section 453.27.20 of this code).

9.1 In Flood hazard areas, as part of the final inspection, a final certification of the lowest floor elevation shall be submitted to the authority having jurisdiction.

(2) *Technical amendments to the Florida Building Code, Residential.*

Modify Sec. 202 Definitions as follows:

[BS] SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed ~~50~~ 49 percent of the market value of the structure before the damage occurred.

[BS] SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds ~~50~~ 49 percent of the market value of the structure before the improvement or repair is started. 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 is 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.

Modify Sec. R322.2.1 as follows:

R322.2.1 *Elevation requirements.*

1. Buildings and structures in flood hazard areas, including flood hazard areas designated as Coastal A Zones shall have the lowest floors elevated to or

above the base flood elevation plus ~~1 foot (305 mm)~~ 2 feet (610 mm), or the design flood elevation, whichever is higher.

2. In areas of shallow flooding (AO Zones), buildings and structures shall have the lowest floor (including basement) elevated to a height above the highest adjacent grade of not less than the depth number specified in feet (mm) on the FIRM plus ~~1 foot (305 mm)~~ 2 feet (610 mm), or not less than ~~3 feet (915 mm)~~ 4 feet (1220 mm) if a depth number is not specified.
3. Basement floors that are below grade on all sides shall be elevated to or above the base flood elevation plus ~~1 foot (305 mm)~~ 2 feet (610 mm), or the design flood elevation, whichever is higher.

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

Modify Sec. R322.2.2 as follows:

R322.2.2 Enclosed area below design flood elevation.

Enclosed areas, including crawl spaces, that are below the design flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage. The interior portion of enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. The enclosure shall not be temperature-controlled. The limitation on partitions does not apply to crawlspace foundations. The Building Official reserves the right to inspect any enclosures at any time to ensure compliance with this section.

Modify Sec. R322.3.2 as follows:

R322.3.2 Elevation requirements.

1. Buildings and structures erected within coastal high hazard areas and Coastal A Zones, shall be elevated so that the bottom of the lowest horizontal structural members supporting the lowest floor, with the exception of piling, pile caps, columns, grade beams and bracing, is elevated to or above the base flood elevation plus ~~1 foot (305 mm)~~ 2 feet (610 mm) or the design flood elevation, whichever is higher.
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.

5. Walls and partitions enclosing areas below the design flood elevation shall meet the requirements of Sections R322.3.5 and R322.3.6.

Modify Sec. R322.3.6 as follows:

R322.3.6 Enclosed areas below the design flood elevation.

Enclosed areas below the design flood elevation shall be used solely for parking of vehicles, building access or storage. The interior portion of enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. The enclosure shall not be temperature-controlled. The Building Official reserves the right to inspect any enclosures at any time to ensure compliance with this section.

- (3) *Technical amendments to the Florida Building Code, Building.*

Modify Sec. 202 Definitions.

[BS] SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed ~~50~~ 49 percent of the market value of the structure before the damage occurred.

[BS] SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds ~~50~~ 49 percent of the market value of the structure before the improvement or repair is started. 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 is 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.

Modify Sec. 1604.5 and table 1604.5:

1604.5 Risk category.

Each building and structure shall be assigned a risk category in accordance with Table 1604.5. Where a referenced standard specifies an occupancy category, the risk category shall not be taken as lower than the occupancy category specified therein. Where a referenced standard specifies that the assignment of a risk

category be in accordance with ASCE 7, Table 1.5-1, Table 1604.5 shall be used in lieu of ASCE 7, Table 1.5-1.

TABLE 1604.5
RISK CATEGORY OF BUILDINGS AND OTHER STRUCTURES

RISK CATEGORY	NATURE OF OCCUPANCY
I	Buildings and other structures that represent a low hazard to human life in the event of failure, including, but not limited to: <ul style="list-style-type: none"> • Agricultural facilities. • Certain temporary facilities. • Minor storage facilities. • Screen enclosures.
II	Buildings and other structures except those listed in Risk Categories I, III and IV.
III	Buildings and other structures that represent a substantial hazard to human life in the event of failure, including, but not limited to: <ul style="list-style-type: none"> • <u>Group R2 occupancy multi-family buildings with three or more attached dwelling units located within a Special Flood Hazard Area (SFHA).</u> • Buildings and other structures whose primary occupancy is public assembly with an occupant load greater than 300. • Buildings and other structures containing Group E occupancies with an occupant load greater than 250. • Buildings and other structures containing educational occupancies for students above the 12th grade with an occupant load greater than 500. • Group I-2 occupancies with an occupant load of 50 or more resident care recipients but not having surgery or emergency treatment facilities. • Group I-3 occupancies. • Any other occupancy with an occupant load greater than 5,000.^a • Power-generating stations, water treatment facilities for potable water, wastewater treatment facilities and other public utility facilities not included in Risk Category IV. • Buildings and other structures not included in Risk Category IV containing quantities of toxic or explosive materials that: <ul style="list-style-type: none"> ○ Exceed maximum allowable quantities per control area as given in Table 307.1(1) or 307.1(2) or per outdoor control area in accordance with the Florida Fire Prevention Code; and ○ Are sufficient to pose a threat to the public if released.^b
IV	Buildings and other structures designated as essential facilities, including, but not limited to: <ul style="list-style-type: none"> • Group I-2 occupancies having surgery or emergency treatment facilities. • Fire, rescue, ambulance and police stations and emergency vehicle

	<p>garages.</p> <ul style="list-style-type: none"> • Designated earthquake, hurricane or other emergency shelters. • Designated emergency preparedness, communications and operations centers and other facilities required for emergency response. • Power-generating stations and other public utility facilities required as emergency backup facilities for Risk Category IV structures. • Buildings and other structures containing quantities of highly toxic materials that: <ul style="list-style-type: none"> ○ Exceed maximum allowable quantities per control area as given in Table 307.1(2) or per outdoor control area in accordance with the Florida Fire Prevention Code; and ○ Are sufficient to pose a threat to the public if released.^b • Aviation control towers, air traffic control centers and emergency aircraft hangars. • Buildings and other structures having critical national defense functions. • Water storage facilities and pump structures required to maintain water pressure for fire suppression.
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- a. For purposes of occupant load calculation, occupancies required by Table 1004.1.2 to use gross floor area calculations shall be permitted to use net floor areas to determine the total occupant load.
- b. Where approved by the building official, the classification of buildings and other structures as Risk Category III or IV based on their quantities of toxic, highly toxic or explosive materials is permitted to be reduced to Risk Category II, provided it can be demonstrated by a hazard assessment in accordance with Section 1.5.3 of ASCE 7 that a release of the toxic, highly toxic or explosive materials is not sufficient to pose a threat to the public.

Modify Sec. 1609.1.1 as follows:

1609.1.1 Determination of wind loads.

Wind loads on every building or structure shall be determined in accordance with Chapters 26 to 30 of ASCE 7. Wind shall be assumed to come from any horizontal direction and wind pressures shall be assumed to act normal to the surface considered. All group R2 occupancy multi family dwelling buildings with three or more dwelling units attached located within in a Special Flood Hazard Area (SFHA) shall be classified as a risk category III structure in accordance with table 1604.5 in the determination of wind design loads per section 1609 and ASCE 7.

Exceptions:

1. Subject to the limitations of Section 1609.1.1.1, the provisions of ICC 600 shall be permitted for applicable Group R-2 and R-3 buildings.
2. Subject to the limitations of Section 1609.1.1.1, residential structures using the provisions of AWC WFCM.
3. Subject to the limitations of Section 1609.1.1.1, residential structures using the provisions of AISI S230.
4. Designs using NAAMM FP 1001 Guide Specifications for Design of Metal Flagpoles.
5. Designs using TIA-222 for antenna-supporting structures and antennas. Design using this standard shall be permitted for communication tower and steel antenna support structures.
6. Wind tunnel tests in accordance with ASCE 49 and Sections 31.4 and 31.5 of ASCE 7.
7. Wind loads for screen enclosures shall be determined in accordance with Section 2002.4.
8. Exposed mechanical equipment or appliances fastened to a roof or installed on the ground in compliance with the code using rated stands, platforms, curbs, slabs, walls, or other means are deemed to comply with the wind resistance requirements of the 2007 Florida Building Code, as amended. Further support or enclosure of such mechanical equipment or appliances is not required by a state or local official having authority to enforce the Florida Building Code.
9. Group R3 occupancy Single Family, detached duplex two family dwelling units, and Townhouse buildings not more than three stories above grade plane are permitted to be designed under the wind loads established per section R101.2 of the Florida Building Code, Residential and ASCE 7.

Modify Sec. 1612.4 as follows:

1612.4 Design and construction.

The design and construction of buildings and structures located in flood hazard areas, including coastal high hazard areas and Coastal A Zones, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24. All new and substantial improved construction other than R2 occupancies, shall include 1 foot (305 mm) of additional freeboard added to tables 2-1, 4-1, 5-1, 6-1, and 7-1 in ASCE 24. All new and substantial improved R2 occupancy construction shall include 3 feet (915 mm) of additional freeboard added to tables 2-1, 4-1, 5-1, 6-1, and 7-1 in ASCE 24 in accordance with section 1612.4.1

Modify Sec. 1612.4.1 as follows:

1612.4.1 Modification of ASCE 24.

Table 6-1 and Section 6.2.1 in ASCE 24 shall be modified as follows:

1. The title of Table 6.1 shall be “Minimum Elevation of Floodproofing, Relative to Base Flood Elevation (BFE) or Design Flood Elevation (DFE), In Coastal A Zones and ~~in~~ Other Flood Hazard areas that are not High Risk Flood Hazard Areas”
2. ~~Section 6.2.1 shall be modified to permit dry floodproofing in Coastal A Zones, as follows: “Dry floodproofing of nonresidential structures and nonresidential areas of mixed use structures shall not be allowed unless such structures are located outside of High Risk Flood Hazard areas and Coastal High Hazard Areas. Dry floodproofing shall be permitted in Coastal A Zones provided wave loads and the potential for erosion and local scour are accounted for in the design. Dry floodproofing or residential structures or residential areas of mixed use structures shall not be permitted.”~~ Reserved.
3. Table 6-1 in ASCE 24 shall be modified for all new and substantial improved construction to include 1 foot (305 mm) of additional freeboard for each flood design class. The minimum elevation of floodproofing allowed for any flood design class shall be, base flood elevation plus 2ft (610 mm), or the design flood elevation, whichever is higher.
4. Table 2-1 in ASCE 24 shall be modified for all new and substantial improved construction other than R2 occupancy, shall include 1 foot (305 mm) of additional freeboard for each flood design class. The minimum lowest floor elevation allowed for any flood design class shall be, base flood elevation plus 2ft (610 mm), or the design flood elevation, whichever is higher. All R2 multi-family dwelling structures with three or more dwelling units attached located in a flood hazard area shall include 3 feet (915 mm) of additional freeboard. The minimum lowest floor elevation allowed for any design class for an R2 multi-family dwelling shall be, base flood elevation plus 4 feet (1220 mm).
5. Table 4-1 in ASCE 24 shall be modified for all new and substantial improved construction other than R2 occupancies, shall include 1 foot (305 mm) of additional freeboard for each flood design class. The minimum elevation of the bottom of the lowest supporting horizontal structural member of the lowest floor for any flood design class shall be, base flood elevation plus 2ft (610 mm), or the design flood elevation, whichever is higher. All R2 multi-family dwelling structures with three or more dwelling units attached located in a flood hazard area shall include 3 additional feet (915 mm) of freeboard. The minimum elevation of the bottom of

the lowest supporting horizontal structural member of the lowest floor for an R2 multi-family dwelling shall be, base flood elevation plus 4 feet (1220 mm).

6. Table 5-1 and 7-1 in ASCE 24 shall be modified for all new and substantial improved construction other than R2 occupancies, shall include the 1 foot (305 mm) of additional freeboard for each flood design class. All R2 multi-family dwelling structures with three or more dwelling units attached located on a flood hazard area shall include 3 feet (915 mm) of additional freeboard.
7. Substantial improvement and Substantial damage as defined in section 202 of this code shall replace the definitions in section 1.2 of ASCE 24.
8. Section 2.7 Enclosures below the design flood elevation and section 4.6 Enclosed areas below design flood elevation shall be modified with the following additional limitations. The interior portion of such enclosed areas shall not be partitioned or finished into separate rooms except for stairwells, ramps, and elevators. Enclosures and enclosed areas shall not be temperature-controlled. The Building Official reserves the right to inspect enclosures and enclosed areas at any time to ensure compliance with this section.

Modify Sec. 1612.5 as follows:

1612.5 *Flood hazard documentation.*

The following documentation shall be prepared and sealed by a registered design professional and submitted to the building official:

1. For construction in flood hazard areas other than coastal high hazard areas or coastal A zones:

1.1. The elevation of the lowest floor, including the basement, as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.

1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 of ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2 of ASCE 24.

1.3. For dry floodproofed nonresidential buildings, construction documents shall include a statement that the dry floodproofing is designed in accordance with

ASCE 24. Include a detailed operation, inspection, and maintenance plan for the dry floodproofed structure in the construction documents.

1.4 The design professional shall submit a completed FEMA Non-Residential Flood Proofing Certification form 086-0-34 to certify the flood proof design at permit application and the as built construction at the time of the final inspection was designed and constructed in accordance with section 110.3.

2. For construction in coastal high hazard areas and coastal A zones:

2.1. The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 110.3, Building, 1.1 and for the final inspection in Section 110.3, Building, 5.1.

2.2. Construction documents shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.2.3. For breakaway walls designed to have a resistance of more than 20 psf (0.96 kN/m²) determined using allowable stress design, construction documents shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

~~2.3.~~ For breakaway walls designed to have a resistance of more than 20 psf (0.96 kN/m²) determined using allowable stress design, construction documents shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

2.4 The design professional shall submit a compliance affidavit indicating that the as built construction at the final inspection complies with ASCE 24 in accordance with section 110.3.

(4) Technical amendments to the Florida Building Code, Existing Building.

Modify Sec. 202 Definitions.

[BS] SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed ~~50~~ 49 percent of the market value of the structure before the damage occurred.

[BS] SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, the cost of which equals or exceeds ~~50~~ 49 percent of the market value of the structure before the

improvement or repair is started. 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 is 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.

Modify Sec 502.2 as follows:

502.2 Flood hazard areas.

For buildings and structures in flood hazard areas established in Section 1612.3 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable, any addition that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established in Section 1612.3 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable, any additions that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction. The additions shall at a minimum, match the existing structure lowest floor elevation as determined by the Building Official and shall be no less conforming to the provisions of section 1612 of the Florida Building Code, Building, or section 322 of the Florida Building Code, Residential, or ASCE 24.

Modify Sec 503.2 as follows:

503.2 Flood hazard areas.

For buildings and structures in flood hazard areas established in Section 1612.3 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable, any alteration that constitutes substantial improvement of the existing structure shall comply with the flood design requirements for new construction, and all aspects of the existing structure shall be brought into compliance with the requirements for new construction for flood design.

For buildings and structures in flood hazard areas established in Section 1612.3 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction. The alteration shall at a minimum, match the existing structure lowest floor elevation as determined by the Building Official and shall be no less conforming to the provisions of section 1612 of the Florida Building Code, Building, or section 322 of the Florida Building Code, Residential, or ASCE 24.

Modify Sec 701.3 as follows:

701.3 Flood hazard areas.

In flood hazard areas, alterations that constitute substantial improvement shall require that the building comply with Section 1612 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable.

For buildings and structures in flood hazard areas established in Section 1612.3 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable, any alterations that do not constitute substantial improvement of the existing structure are not required to comply with the flood design requirements for new construction. The alteration shall at a minimum, match the existing structure lowest floor elevation as determined by the Building Official and shall be no less conforming to the provisions of section 1612 of the Florida Building Code, Building, or section 322 of the Florida Building Code, Residential, or ASCE 24.

Modify Sec 1401.3.3 as follows:

1401.3.3 Compliance with Flood Hazard Provisions.

In flood hazard areas, buildings that are evaluated in accordance with this section shall comply with Section 1612 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable if the work covered by this section constitutes substantial improvement.

In flood hazard areas, buildings that are evaluated in accordance with this section shall comply with Section 1612 of the Florida Building Code, Building, or Section R322 of the Florida Building Code, Residential, as applicable. If the work covered by this section does not constitutes substantial improvement to the existing structure, the construction shall at a minimum, match the existing structure lowest floor elevation as determined by the Building Official and shall be no less conforming to the provisions of section 1612 of the

Florida Building Code, Building, or section 322 of the Florida Building Code, Residential, or ASCE 24.

SECTION 3. FISCAL IMPACT STATEMENT. In terms of design, plan application review, construction and inspection of buildings and structures, the cost impact as an overall average is negligible in regard to the local technical amendments because all development has been subject to the requirements of the local floodplain management ordinance adopted for participation in the National Flood Insurance Program. In terms of lower potential for flood damage, there will be continued savings and benefits to consumers.

Section 2. Coding. As used in this ordinance, all language shall appear in the City Code in the section, subsection, or other location where indicated and in the manner in which it is displayed herein. Struck-through type is language to be deleted from the Florida Building Code, as a local amendment thereto, and shall appear as struck-through type in the City Code. Underlined type is language to be added to the Florida Building Code, as a local amendment thereto, and shall appear as underlined type in the City Code. Language that is neither struck-through nor underlined type is unamended language from the Florida Building Code, and shall appear as such in the City Code. Language in the City Code not appearing in this ordinance continues in full force and effect unless the context clearly indicates otherwise.

Section 3. Applicability. For the purposes of jurisdictional applicability, this ordinance shall apply in the City of St. Petersburg. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

Section 4. Severability. The provisions of this ordinance shall be deemed severable. The unconstitutionality or invalidity of any word, sentence or portion of this ordinance shall not affect the validity of the remaining portions.

Section 5. Effective Date. In the event that this ordinance is not vetoed by the Mayor in accordance with the City Charter, it shall become effective after the fifth business day after adoption unless the Mayor notifies the City Council through written notice filed with the City Clerk that the Mayor will not veto the ordinance, in which case the ordinance shall take effect immediately upon filing such written notice with the City Clerk. In the event this ordinance is vetoed by the Mayor in accordance with the City Charter, it shall not become effective unless and until the City Council overrides the veto in accordance with the City Charter, in which case it shall become effective immediately upon a successful vote to override the veto.

Approved as to form and content:

/s/Michael J. Dema
City Attorney (designee)
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