

## ORDINANCE 713

**AN ORDINANCE OF MEXICO BEACH, FLORIDA AMENDING THE MEXICO BEACH CITY CODE RELATED TO BUILDING REGULATIONS; AMENDING CHAPTER 151 TO IDENTIFY WIND SPEED LINES IN THE CITY; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, on October 10, 2018, Hurricane Michael struck the City of Mexico Beach (the "City") as a strong Category 4 hurricane resulting in massive damages to private and public property;

WHEREAS, most buildings in the City were made uninhabitable and many will be redesigned and rebuilt; 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, Florida Building Code Section 1609.3 regulates ultimate design wind speed for buildings and structures and provides maps showing the required ultimate design wind speeds for each building risk category; and

WHEREAS, each of these maps shows the City of Mexico Beach approximately at the midpoint between two different wind zone categories; and

WHEREAS, Florida Building Code Section 1609.3 provides that the exact location of wind speed lines shall be established by local ordinance using recognized physical landmarks such as major roads, canals, rivers and lake shores wherever possible; and

WHEREAS, Risk Category I Buildings are buildings and other structures that represent a low hazard to human life in the event of failure, including but not limited to agricultural facilities, certain temporary facilities, minor storage facilities, and screen enclosures; and

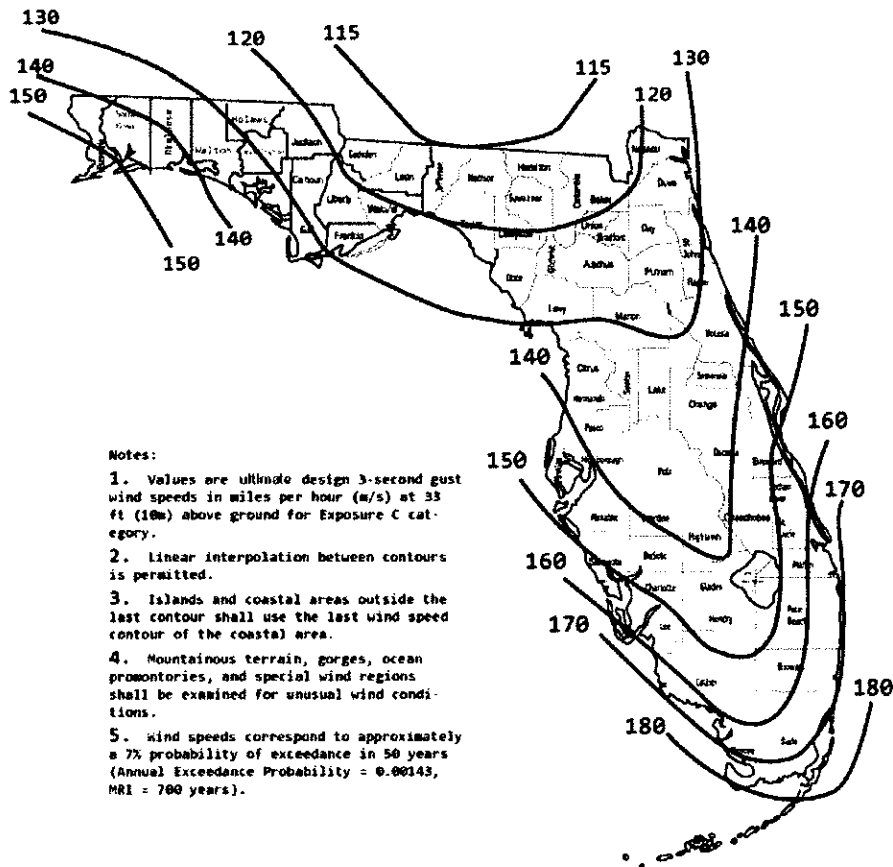
WHEREAS, Risk Category II Buildings includes all buildings and structures not included in Risk Categories I, III, and IV, which means Risk Category II includes residences and most businesses; and

WHEREAS, Risk Category III Buildings are buildings and other structures that represent a substantial hazard to human life in the event of failure, such as public assemblies with an

occupant load greater than 300; certain educational buildings; certain health care buildings; power-generating stations, water treatment facilities for potable water, wastewater treatment facilities and other public utility facilities not included in Risk Category IV; and certain other buildings having high occupancy loads or high risks;

WHEREAS, Risk Category IV Buildings are buildings and other structures designated as essential facilities, including but not limited to certain surgery or emergency treatment facilities; fire, rescue, ambulance and police stations and emergency vehicle garages; emergency shelters; power-generating stations; buildings and other structures having critical national defense functions; and water storage facilities and pump structures required to maintain water pressure for fire suppression; and

WHEREAS, Florida Building Code Figure 1609.3(1) provides Ultimate Design Wind Speeds,  $V_{ult}$ , for Risk Category II Buildings And Other Structures as follows:



; and

WHEREAS, for the reasons described herein, the City has determined that the 140 miles per hour ultimate design wind speed rather than the 130 miles per hour ultimate design wind speed better serves the interests of public health, safety, and welfare; and

WHEREAS, damage and injuries due to future hurricanes would be reduced by strengthening the ultimate design wind speed standard to 140 miles per hour; and

WHEREAS, insurance rates within the City are likely to be affected favorably by strengthening the ultimate design wind speed standard to 140 miles per hour; and

WHEREAS, the City's future emergency response costs should be reduced by strengthening the ultimate design wind speed standard to 140 miles per hour; and

WHEREAS, the locally designated ultimate design wind speed to the east of the City is already 140 miles per hour so most contractors doing business in the City already are familiar with the associated materials and techniques; and

WHEREAS, the City anticipates that strengthening this standard may be helpful to maximize federal and state reimbursement of the ongoing Hurricane Michael response project or help with the City's eligibility for certain programs or grants; and

WHEREAS, the City's Comprehensive Plan requires the City to provide plans, programs and regulations meant to minimize future property losses from natural disasters such as flooding, tropical storms and hurricanes.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MEXICO BEACH, FLORIDA:

SECTION 1. FINDINGS OF FACT. The foregoing recitals are hereby ratified and confirmed as being true and correct and are hereby made a part of this ordinance.

SECTION 2. CITY CODE AMENDMENTS. From and after the effective date of this ordinance, § 151.0835 is created and adopted as part of the City Code relating to required ultimate design wind speed as follows (new text **bold and underlined**, deleted text ~~struck through~~):

**§ 151.035 REQUIRED ULTIMATE DESIGN WIND SPEED.**

**The ultimate design wind speed,  $V_{ult}$ , for the determination of the wind loads for Risk Category II Buildings, as defined by the Florida Building Code, shall be 140 miles per hour for all of the City of Mexico Beach.**

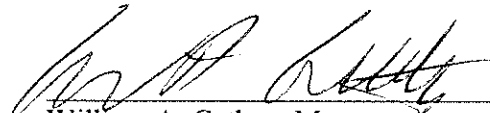
SECTION 3. SEVERABILITY. If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 4. SCRIVENER'S ERROR. The city attorney may correct scrivener's errors found in this ordinance by filing a corrected copy of this ordinance with the city clerk.


SECTION 5. REPEAL. All ordinances or parts of ordinances in conflict herewith are repealed to the extent of such conflict.

SECTION 6. EFFECTIVE DATE. This ordinance takes effect immediately upon adoption.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Mexico Beach, Florida, this 12 day of February, 2019.

  
William A. Cathey, Mayor

ATTEST:

  
CITY CLERK