

ORDINANCE NO. 09- 20

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY FLORIDA; PROVIDING FOR A SHORT TITLE; ADOPTING THE 2007 FLORIDA BUILDING CODE, NATIONAL ELECTRICAL CODE, 2008 EDITION, AND FLORIDA FIRE PREVENTION/LIFE SAFETY CODES, 2007 EDITION, AND ANY OTHER ADMINISTRATIVE OR TECHNICAL CODES NOT SUPERSEDED BY THE 2007 FLORIDA BUILDING CODE; PROVIDING A SHORT TITLE; PROVIDING FOR THE REPEAL AND REPLACEMENT OF CHAPTER 1 OF THE FLORIDA BUILDING CODE ENTITLED THE "OKALOOSA COUNTY ADMINISTRATIVE CONSTRUCTION CODE"; PROVIDING FOR THE AMENDMENT AND REPEAL OF CERTAIN SECTIONS OF CHAPTER 6 OF THE CODE OF ORDINANCES OF OKALOOSA COUNTY, FLORIDA; PROVIDING REPEAL OF ALL OTHER CONFLICTING PROVISIONS; PROVIDING FOR INCORPORATION INTO THE CODE OF ORDINANCES OF OKALOOSA COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, Okaloosa County is a political subdivision of the State of Florida to which Chapter 125 of the Florida Statutes grants broad authority and provides for the adoption of ordinances to provide for self-governance; and

WHEREAS, the Florida Legislature has created through Chapter 553 of the Florida Statutes a unified Florida Building Code which is periodically updated and which must be adopted and enforced by all local enforcement agencies as that term is used in Chapter 553, Florida Statutes; and

WHEREAS, Okaloosa County is a "local enforcement agency" with jurisdiction to make inspections of buildings and to enforce the codes which establish standards for design, construction, erection, alteration, repair, modification, or demolition of public or private buildings, structures, or facilities as that term is used in Chapter 553, Florida Statutes.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF OKALOOSA COUNTY, FLORIDA:

Section 1. Short Title. This Ordinance shall be known and may be cited as the "Okaloosa County Florida Building Code Ordinance of 2009".

Section 2. Conformance with Applicable Laws. This ordinance is hereby adopted in conformity with Chapter 125, Florida Statutes, Chapter 553, Florida Statutes, and all other applicable laws.

Section 3. Adoption of Florida Building Code, National Electrical Code, Florida Fire Prevention/Life Safety Codes, and other codes. There is hereby adopted by reference the 2007

Florida Building Code, the National Electric Code, 2008 edition, the Florida Fire Prevention/Life Safety Codes, 2007 edition, and any other adopted technical codes and ordinances not superseded by the 2007 Florida Building Code, including the non-technical and administrative chapters and requirements for all adopted codes.

Section 4. Repeal and Replace Section 6-131 of Article VI of Chapter 6 of the Code of Ordinances of Okaloosa County, Florida. Section 6-131 of Article VI of Chapter 6 of the Code of Ordinances of Okaloosa County, Florida, as adopted Pursuant to Okaloosa County Ordinance 07-33, is hereby repealed and a new Chapter 1, Administration, of the Florida Building Code to be known as the "Okaloosa County Administrative Construction Code" is hereby created and established as part of the Florida Building Code as shown in Exhibit A, attached, which is incorporated herein by reference.

Section 5. Amendment of Section 6-247(g) of Chapter 6, Article VII of the Code of Ordinances of Okaloosa County, Florida. Section 6-247(g) of Chapter 6, Article VII of the Code of Ordinances of Okaloosa County, Florida, is hereby repealed in its entirety and replaced with the following:

(g) The board may give special consideration in purged license cases concerning family illness, military deployment, and other circumstances as the board deems appropriate.

Section 6. Amendment of Section 6-318(g) of Chapter 6, Article VIII of the Code of Ordinances of Okaloosa County, Florida. Section 6-318(g) of Chapter 6, Article VIII of the Code of Ordinances of Okaloosa County, Florida, is hereby repealed in its entirety and replaced with the following:

(g) The board may give special consideration in purged license cases concerning family illness, military deployment, and other circumstances as the board deems appropriate.

Section 7. Repeal of Certain Sections of Chapter 6 of the Code of Ordinances of Okaloosa County, Florida. Article IV, Article V, and Article VI of Chapter 6, as well as Sections 6-501 through 6-519, inclusive, and Section 6-521 of Article X of Chapter 6 of the Code of Ordinances of Okaloosa County, Florida, are hereby repealed.

Section 8. General Repeal of Conflicting Provisions. Any ordinances or portions thereof in addition to the sections cited in Section 5., above, in conflict herewith are hereby repealed.

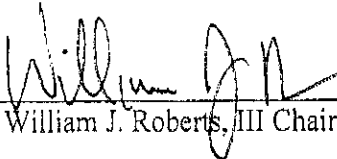
Section 9. Incorporation into County Code. It is hereby directed by the Board of County Commissioners that the provisions of Exhibit A attached hereto be incorporated into the Code of Ordinances of Okaloosa County Florida, and that any renumbering of the various sections of Exhibit A is hereby authorized as necessary to achieve that directive.

Section 10. Severability. If any section, subsection, clause, or other part of this ordinance or Exhibit A are deemed unlawful in any court of law competent to decide such matters, said section, subsection, clause, or other part shall be severed and held as a separate provision and shall have no effect on the remainder.

Section 11. Effective Date. This ordinance shall take effect as provided by law.

DULY PASSED AND ADOPTED in regular session this 6th day of October,
2009.

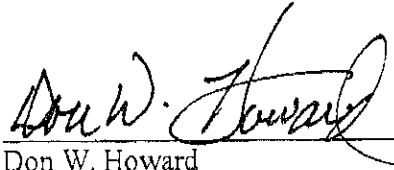
BOARD OF COUNTY COMMISSIONERS OKALOOSA
COUNTY, FLORIDA



William J. Roberts, III Chairman



ATTEST:



Don W. Howard
Clerk of Court

