

**ORDINANCE NO. 2017-\_\_\_\_\_**

**CITY OF POMPANO BEACH  
Broward County, Florida**

**AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TO TEMPORARILY SUSPEND BUILDING PERMIT FEES FOR DAMAGE CAUSED BY HURRICANE IRMA SUBJECT TO SPECIFIC CONDITIONS; MAKING FINDINGS AND ESTABLISHING REQUIREMENTS RELATED TO SAID SUSPENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on September 4, 2017, pursuant to the authority of Article IV, Section 1(a) of the Florida Constitution and the Emergency Management Act, as amended, and all other applicable laws, the Governor of the State of Florida promulgated Executive Order 17-235 which declared that as a result of the imminent threat of damage, injury, loss of life and property resulting from Hurricane Irma, a state of emergency existed in the entire State of Florida for at least the next sixty (60) days; and

**WHEREAS**, on September 5, the Mayor of the City of Pompano Beach issued a Proclamation that declared a local state of emergency existed within the municipality's legal boundaries as a result of the threat to the lives and property of the City's residents posed by Hurricane Irma and which also authorized the City Manager to exercise such emergency powers necessary to carry out the provisions of Chapter 252, Florida Statutes, as well as any other powers expressly or implicitly conferred pursuant to Chapters 166 and 252, Florida Statutes, and any other provision of law or City ordinance; and

**WHEREAS**, on September 11, 2017, the City Manager determined that it was in the public interest to protect public health, safety, property and the general welfare to temporarily suspend building permit fees; now, therefore,

**BE IT ENACTED BY THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That due to the property damage caused by Hurricane Irma, the City Commission of Pompano Beach finds it in the public interest to protect public health, safety, property and the general welfare of the public by temporarily suspending the building permit fees referenced in Section 152.12 of the City's Code of Ordinances solely for the repair of structural property damage which is documented as being caused by Hurricane Irma and as determined by the City's Building Official in his sole discretion. The purpose and intent of the temporary suspension of such fees shall in no manner waive or abrogate current pertinent Florida Building Code requirements and regulations, including the requirement to obtain a building permit as provided.

**SECTION 2.** This temporary suspension of building permit fees shall be retroactively effective as of September 11, 2017, and continue on a month to month basis until the City Manager provides a written declaration that said suspension is no longer necessary to protect public health, safety, property and the general welfare.

**SECTION 3.** All actions taken by the City Manager before passage of this Emergency Ordinance as to the temporary suspension of building permit fees for damage properly documented to have resulted from Hurricane Irma, are hereby ratified.

**SECTION 4.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of

this Ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

**SECTION 5.** This Ordinance shall become effective upon passage.

**PASSED and APPROVED** on first and second reading this \_\_\_\_ day of September 2017, as an emergency ordinance in full compliance with Section 22 of the City's Charter and Section 166.041(3)(b), Florida Statutes.

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**LAMAR FISHER, MAYOR**

**ATTEST:**

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**ASCELETA HAMMOND, CITY CLERK**

MEB/fp  
9/26/17  
L:ord/2017-342