

CITY OF BONITA SPRINGS

ORDINANCE NO. 21- 01

AN ORDINANCE OF THE CITY OF BONITA SPRINGS; AMENDING BONITA SPRINGS CODE CHAPTER 10, ARTICLE II, BUILDING CODES AND STANDARDS, SECTION 10-20 TO UPDATE WIND SPEED LINES AND A WIND-BORNE DEBRIS REGION THAT COINCIDES WITH FIGURE 1606 OF THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY, CONFLICTS, CODIFICATION, SCRIVENER'S ERRORS AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Bonita Springs, Florida is the governing body of Bonita Springs; and

WHEREAS, Section 553.73, Florida Statutes, establishes the state-wide unified building code known as the Florida Building Code; and

WHEREAS, pursuant to Florida Building Code Section 1606.1.6, the exact location of wind speed lines will be established by local ordinance using recognized physical and marks; and

WHEREAS, the Bonita Springs Comprehensive Plan requires the City to provide through City plans, programs and regulations, means to minimize future property losses from natural disasters such as flooding, tropical storms, and hurricanes, and

WHEREAS, the Bonita Springs City Council finds and determines that it is necessary to enact an ordinance establishing the geographical boundary of the wind speed lines in Bonita Springs pursuant to enactment of the Florida Building Code; and

WHEREAS, pursuant to the Article VIII of the Florida Constitution, the City of Bonita Charter and Section 166.021, Florida Statutes, the City Council is authorized to adopt ordinances necessary for the exercise of its powers in for health, safety, and general welfare; and

WHEREAS, the City Council has determined that it is in the best interests and welfare of the City of Bonita Springs and its residents to enact this Ordinance.

THE CITY OF BONITA SPRINGS HEREBY ORDAINS:

Section 1. PURPOSE

The purpose of this Ordinance is to comply with the Section 553.73, Florida Statutes, the Florida Building Code and the Florida Building Code Section 1606.1.6, which

requires the adoption of a local ordinance to establish exact wind speed lines using recognized physical landmarks. The Florida Building Code requires buildings, structures and parts thereof be designed to withstand the minimum wind loads prescribed in the code and within the designated wind speed zones.

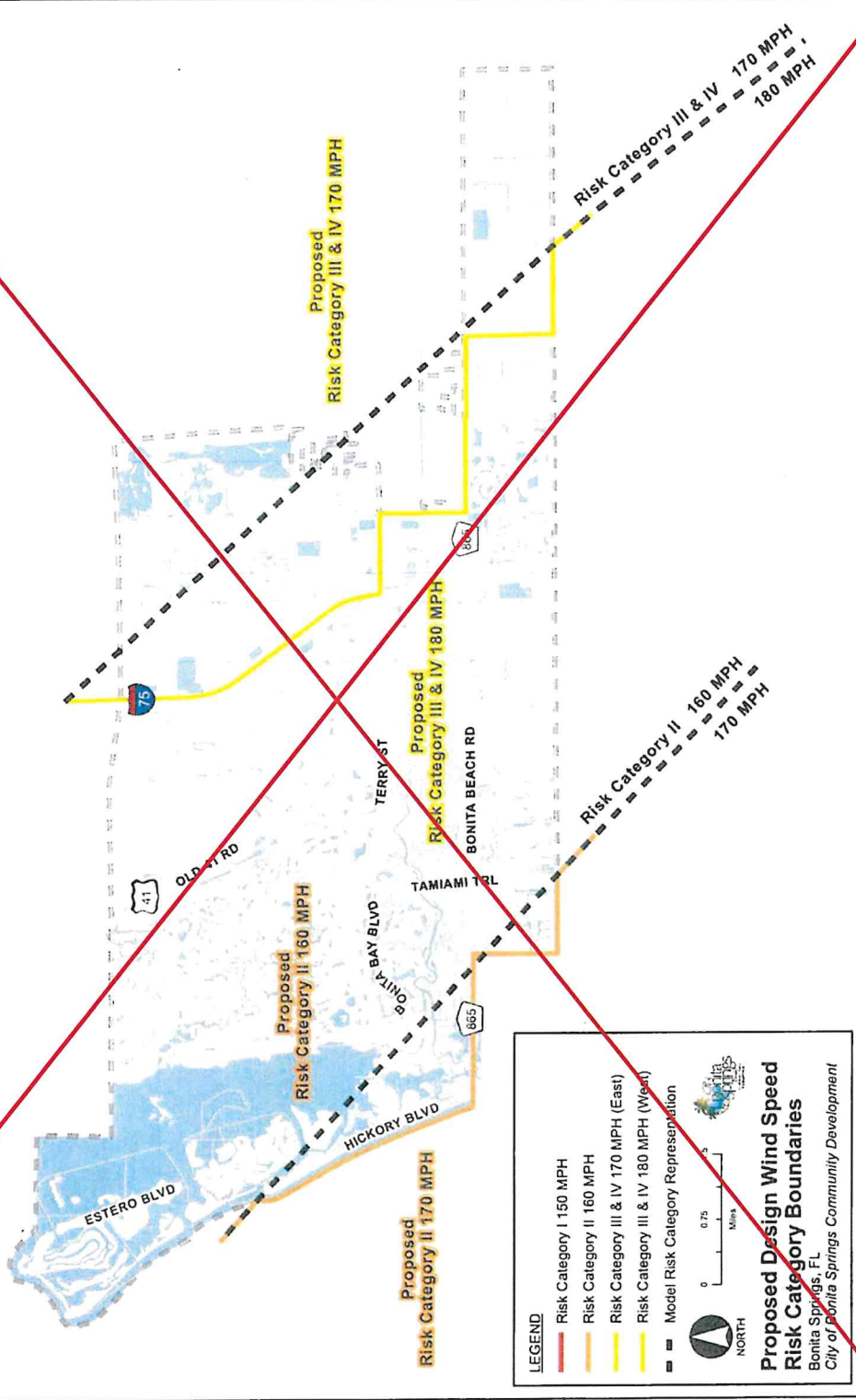
Section 2. **AMENDMENT TO THE CODE OF ORDINANCES**

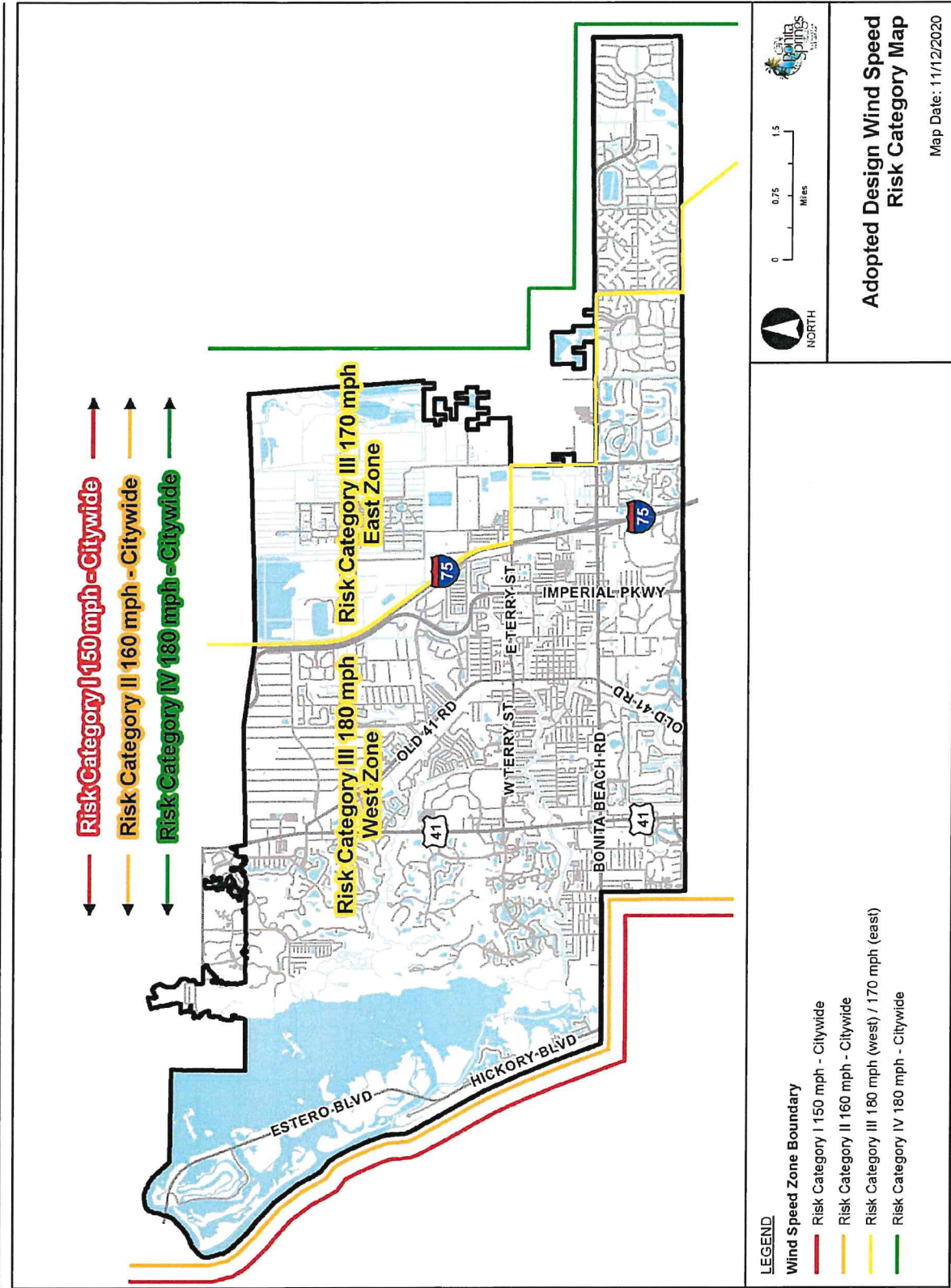
The Bonita Springs City Code is hereby amending Chapter 10 - Buildings and Building Regulations, Article II - Building Codes and Standards, Section 10-20, of the City's Code of Ordinances, with deletions depicted with ~~strikethroughs~~ and underlined language as additions, as follows:

Sec. 10-20. - Bonita Springs Wind-Borne Debris Region and Basic Wind Speed Map.

The Bonita Springs Wind-Borne Debris Region and Basic Wind Speed Map, as depicted in the map below, establishes the geographical boundaries of the wind speed zones and the wind-borne debris region in the city. The wind speed lines and wind-borne debris region coincides with figure 1606 of the state building code.

Proposed Design Wind Speed Risk Category Boundaries





Section 3. **SEVERABILITY**

The provisions of this Ordinance are severable, and it is the intention to confer the whole or any part of the powers herein provided for. If any court of competent jurisdiction shall hold any of the provisions of this Ordinance unconstitutional, the decision of such court shall not affect or impair any remaining provisions of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would be adopted had such unconstitutional provision not been included therein.

Section 4. **CONFLICTS OF LAW**

Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted City of Bonita Springs ordinance or Florida Statutes, the more restrictive shall apply.

Section 5. **CODIFICATION AND SCRIVENER'S ERRORS**

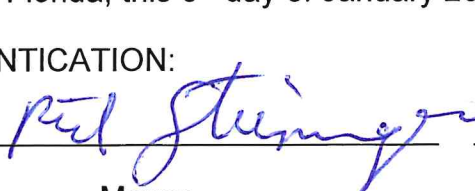
It is the intention of the City Council that the provisions of this Ordinance shall become and be made part of the Bonita Springs Code; that sections of this Ordinance may be renumbered or re-lettered and that the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intention; and that any typographical errors which do not affect the intent may be authorized by the City Manager without need of public hearing, by filing a corrected copy with the City Clerk. It is further the intent of the City Council that the provisions of this Ordinance may be modified as a result of consideration that may arise during public hearing(s) and that such modifications shall be incorporated into the final version.

Section 6. **EFFECTIVE DATE**

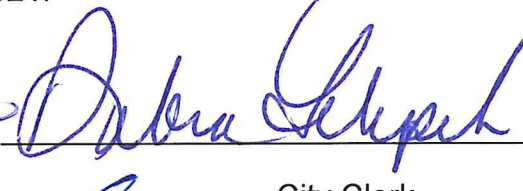
This Ordinance shall be effective immediately upon its adoption.

DULY PASSED AND ENACTED by the City Council of the City of Bonita Springs, Lee County, Florida, this 6th day of January 2021.

AUTHENTICATION:



Mayor



City Clerk

APPROVED AS TO FORM:



City Attorney

Vote:

Carr Aye

Purdon Aye

Forbes Aye

Corrie Aye

Gibson Aye

Quaremba Aye

Steinmeyer Aye

Date filed with City Clerk:

1/6/2021