

**ORDINANCE NO. 2018-020**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA, AMENDING THE CITY'S CODE OF ORDINANCES, BY AMENDING CHAPTER 6, "BUILDINGS AND BUILDING REGULATIONS," ARTICLE III, "MINIMUM BUILDING PREMISES STANDARDS," ENACTING A NEW SECTION 6-40, "HURRICANE PROTECTIVE DEVICES BLOCKING INGRESS OR EGRESS ON STRUCTURES CERTIFIED FOR OCCUPANCY," IN ORDER TO PROVIDE FOR A MAXIMUM TIME LIMIT FOR SHUTTERS OR OTHER DEVICES THAT BLOCK POINTS OF INGRESS AND EGRESS AFTER A HURRICANE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission desires to modify its Code of Ordinances to provide for a maximum time limit for shutters to be closed or other devices that block ingress and egress to a structure that is certified for occupancy in order to save lives in case of a fire; and

**WHEREAS**, the City Commission desires to protect the health, safety, and welfare of its residents.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF COCONUT CREEK, FLORIDA AS FOLLOWS:**

**Section 1: Ratification.** That the foregoing "WHEREAS" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance.

**Section 2:** That the Code of Ordinances of the City of Coconut Creek, Florida, shall be amended by amending Chapter 6, "Buildings and Building Regulations," Article III, "Minimum Building Premises Standards," enacting a new section 6-40, "Hurricane Protective Devices Blocking Ingress or Egress on Structures Certified for Occupancy," to read as follows:

## Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

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### ARTICLE III. - MINIMUM BUILDING PREMISES STANDARDS

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#### **Sec. 6-40. – Hurricane Protective Devices Blocking Ingress or Egress on Structures Certified for Occupancy.**

- (a) Protection from windborne debris is encouraged for all structures certified for occupancy in the City. Storm shutters or other hurricane protection devices that block the ingress or egress of a structure certified for occupancy must be designed and installed in conformance with the building code in effect at the time such hurricane protection was permitted by the City Building Department.
- (b) Consistent with the provisions regarding storm shutters as set forth in the Florida Building Code, as amended from time to time, the Florida Fire Prevention Code, as amended from time to time, and the Broward County Amendments to the Florida Building Code and the Florida Fire Prevention Code, as amended from time to time, it is prohibited to maintain hurricane protective devices which impede egress, light, and/or ventilation, in a closed/secured position on occupied buildings after a designated hurricane watch or warning has terminated, as designated by the National Weather Service.
- (c) It is a violation of this section for an owner or occupant of a structure certified for occupancy to maintain any hurricane protective devices in the closed position or in such a position as to block any point of ingress or egress to the structure for a period longer than fifteen (15) days after the lifting of any hurricane or tropical storm warning or watch, as designated by the National Weather Service, unless:
1. Hurricane or tropical storm warning or watch conditions are predicted to occur within forty-eight (48) hours after the fifteenth (15<sup>th</sup>) day; or
  2. The structure is a residence that is temporarily vacant during the timeframe detailed herein-- except that such owner or occupant must immediately remove the devices upon re-entering the residence.
- (d) The section does not apply to abandoned property as defined in Section 6-39, "Abandoned real and personal property."

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**Section 3: Conflicts.** That all ordinances or parts of ordinances, all City Code sections or parts of City Code sections, and all resolutions or parts of resolutions in conflict with this Ordinance are hereby repealed to the extent of such conflict.

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**Section 4: Severability.** That should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence, clause or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part hereof other than the part declared invalid.

**Section 5: Codification.** That the provisions of this Ordinance shall be codified within the Code of Ordinances of the City of Coconut Creek, Florida, and any paragraph or section may be renumbered to conform with the Code of Ordinances.

**Section 6: Effective Date.** That this Ordinance shall become effective upon its passage on second and final reading.

**PASSED FIRST READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

**PASSED SECOND READING THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
Joshua Rydell, Mayor

Attest:

\_\_\_\_\_  
Leslie Wallace May, City Clerk

	<u>1st</u>	<u>2nd</u>
Rydell	_____	_____
Welch	_____	_____
Tooley	_____	_____
Sarbone	_____	_____
Belvedere	_____	_____

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