

Sponsored By: Puto
Introduction Date: January 3, 2006
Public Hearing Date: January 10, 2006
January 24, 2006

Enactment Date: January 24, 2006

ORDINANCE 2006-01

**AN ORDINANCE OF THE CITY OF MARATHON, AMENDING
CHAPTER 6 OF THE CITY CODE REGARDING BUILDINGS AND
CONSTRUCTION**

WHEREAS, on December 23, 2003 by Ordinance No. 2003-25, the City of Marathon, adopted the 2001 Florida Building Code; and

WHEREAS, the Florida Legislature amended Section 553.73, Florida Statutes to require the adoption of a new standard building code; and

WHEREAS, in accordance with Florida Statutes Section 553.73 the City Council desires to adopt and amend the City Code to adapt the 2004 edition of the Florida Building Code.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE
CITY OF MARATHON, FLORIDA AS FOLLOWS:**

~~strikethrough~~ = deletion

bold underline = addition

Section 1. The above recitals are true and correct and incorporated herein.

Section 2. That Chapter 6 of the City Code is hereby amended to read as follows:

Section 6-XX . Adoption of Applicable Codes.

(a) The **2004 Edition of the** Florida Building Code, is hereby adopted as the City's building code as if fully set forth herein.

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DIVISION 2, PERMIT REQUIREMENTS AND FEES

Section 6-XX . Building Permits Required.

(a) A building permit shall be required for the following work:

(1) Site preparation permits, which involve land clearing, the placement of fill, commercial demolition, blasting, excavation, or the storage of materials. Provided that no site

preparation permit shall be issued except in conjunction with the establishment of a use or structure allowed in the zoning district where the site is located except that a site preparation permit may be issued to clear invasive exotic vegetation without the establishment of a use or structure.

(2) Anyone who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical work, gas work, mechanical work, plumbing work, and any work involving life safety regardless of value. Signs, fences, the tie-downs of habitable structures, excavation, land clearing, blasting, placement of fill, ~~electrical work regardless of value, mechanical work regardless of value, plumbing work regardless of value, and any work involving life safety regardless of value.~~

(3) Any work subject to flood plain management requirements.

(b) A building permit shall not be required for the following type of work:

(1) ~~All new construction and remodeling work, excluding structural modifications~~ Ordinary minor repairs may be made with the approval of the building official without a permit, provided the repairs do not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; additionally, ordinary minor repairs shall not include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring systems or mechanical equipment or other work affecting public health or general safety, and such repairs shall not violate any of the provisions of the technical codes ~~(e.g. any change to a building or structure involving the supporting framework, electrical wiring, plumbing piping, mechanical equipment, fences, and changes to a building footprint, except as set forth in subsection (a)(1), (2), and (3)), if the fair market value of the construction or work is less than two thousand five hundred dollars (\$2,500);~~

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Section 3. Any provision of the Code that conflicts with this Ordinance are hereby repealed, which includes by not limited to Ordinance 2003-25.

Section 4. The provisions of this Ordinance are declared to be severable and if any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance but they shall remain in effect, it being the legislative intent that this Ordinance shall stand notwithstanding the invalidity of any part.

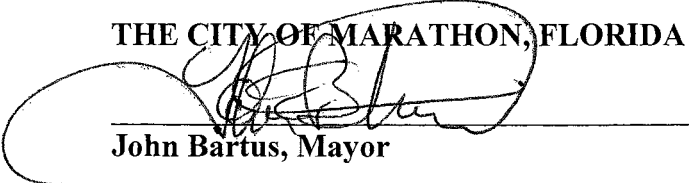
Section 5. It is the intention of the City Council, and it is hereby ordained that the provisions of this Ordinance shall become a part of the City of Marathon, Florida Code of Ordinances; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate

word.

Section 6. This Ordinance shall take effect immediately upon its adoption.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF MARATHON,
FLORIDA,** this 24th day of January, 2006.


THE CITY OF MARATHON, FLORIDA



John Bartus, Mayor

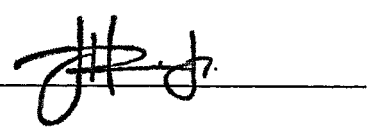
AYES: Bull, Miller, Pinkus, Mearns, Bartus
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Cindy L. Ecklund
City Clerk

**APPROVED AS TO FORM AND LEGALITY FOR THE USE
AND RELIANCE OF THE CITY OF MARATHON, FLORIDA ONLY:**



City Attorney