

AGENDA ITEM SUMMARY SHEET
VILLAGE COUNCIL MEETING
March 18, 2026

Agenda Item:

Ordinance No. 2026-01 regarding building code and construction standards

Motion to adopt Ordinance No. 2026-01 on first reading and authorizing the Clerk to advertise the ordinance for public hearing on April 1, 2026.

Background: Florida Statutes § 553.73(1) mandates that the Florida Building Commission (an entity created by the State) must adopt a Florida Building Code (FBC) which establishes a uniform building code throughout the state. In turn, each local enforcement agency adopts by reference the current version of the FBC.

When the Village was incorporated and its first codes written, the regulations related to the building code and construction were originally codified within § 1-9 of the Village's Land Development Code. However, such regulations are not commonly codified in that separate body of law and most local governments codify building regulations not in their land development codes but rather in their code of ordinances.

The draft ordinance addresses this general matter with the creation of a new chapter 7 of the Village's Code of Ordinances to address building code and construction matters. The building code sections currently in LDC § 1-9 will be relocated to this new chapter.

One of the reasons the current code was examined relates to the Village's longstanding requirement for concrete construction. The Village has historically required, through the development order process, that hotels, motels, commercial buildings, and multi-family buildings be constructed of concrete.

Use of concrete to construct exterior walls of a structure is superior for durability, fire resistance, storm safety, lower long-term maintenance costs, retention of property value, and pest resistance, and the Village's proximity to costal waters and its actual historical experiences with hurricanes have demonstrated the Village's need to require concrete construction for certain non-single family structures.

While the Village will primarily still use the development order process to enforce this requirement, changes in Florida law whereby development orders may not in the future always be required for construction of hotels, motels, commercial buildings, and multi-family buildings, has resulted in the need for the Village to also codify this historical requirement.

In addition to the foregoing issues, staff also notes that § 1-905 of the Village Land Development Code addresses property maintenance. However, this topic is also addressed in Chapter 23 of the Village Code (concerning property maintenance), and so the Ordinance proposed to relocate this section into that Chapter for consistency.

Action Requested: Motion to adopt Ordinance No. 2026-01 on first reading and authorizing the Clerk to advertise the ordinance for public hearing on April 1, 2026.

Process and Timeline: If Council approves, the Village Clerk will advertise the ordinance for second reading on April 1, 2026.

Financial Impact: There is no impact on Village funds by adoption of this ordinance.

Prepared by: Robert Eschenfelder, Village Attorney

Attachments:

1. Ordinance No. 2026-01.