

ORDINANCE NO. 2025-2322

AN ORDINANCE OF THE CITY OF NEW PORT RICHEY, FLORIDA, PROVIDING FOR REPEAL OF SECTION 6-31 OF ARTICLE II OF CHAPTER 6 OF THE CODE OF ORDINANCES, PERTAINING TO TOOLSHEDS AND UTILITY BUILDINGS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, Section 6-31 of the Code of Ordinances was adopted on or before 1964 pertains to the construction and placement of toolsheds and utility buildings in the city;

WHEREAS, Section 12.03.00 of the Land Development Code has been adopted, providing for location and construction standards for detached storage buildings;

WHEREAS, the location standards for storage buildings are more appropriately provided within the Land Development Code and the construction standards of Section 6-31 of the Code of Ordinances have become obsolete as a result of the adoption of the Florida Building Code and the modern construction of storage buildings;

WHEREAS, the City Council has found that the provisions of Section 6-31 of the Code of Ordinances are no longer necessary for the general health, safety and welfare of the citizens of the city; and

WHEREAS, it is declared as a matter of legislative determination and public policy that the provisions herein are necessary in the public interest; and it is further declared that the provisions herein are in pursuance of and for the purpose of securing and promoting the public health, safety, welfare and quality of life in the City in accordance with the City's police powers.

NOW, THEREFORE, THE CITY OF NEW PORT RICHEY, FLORIDA HEREBY ORDAINS:

SECTION 1. Repeal. Section 6-31 of Article II of Chapter 6 of the Code of Ordinances, pertaining to toolsheds and utility buildings, and providing as set forth hereafter, is hereby repealed in its entirety, as follows (strikeout text is deleted and underlined text is added):

Sec. 6-31. Reserved Toolsheds and utility buildings.

(a) ~~*Building permit required.* It shall be unlawful for any person, firm, partnership, corporation or other entity to erect, construct, enlarge, alter or move any toolshed or utility building or cause the same to be done without first obtaining a special building permit for such toolshed or utility building from the building department.~~

(b) ~~*Minimum standards.* The minimum standards for the erection, construction, enlargement or alteration of any such toolshed or utility building are as follows:~~

~~(1) Each toolshed and/or utility building shall be located to the rear of the principal structure on any real estate lot within this city and shall be positioned so that the outside walls of such sheds or buildings shall be a distance of no less than five (5) feet from the side and/or rear property line thereof. Whenever the rear or side boundary line of any such real property abuts a street or roadway, the following setback requirements shall govern the location of such a toolshed or utility building:~~

~~a. The rear setback line shall be governed by the front building setback lines which are prescribed by the zoning ordinance that regulates real property within the zoning district where any such toolshed or utility building is erected, constructed, enlarged, altered or emplaced.~~

~~b. The side setback lines thereof shall be a distance of no less than ten (10) feet from the edge of the side property line thereof.~~

~~(2) Such toolsheds or utility buildings shall be securely bolted to a prepoured four-inch thick concrete slab and each corner of such shed or utility building shall be positioned upon an eight-inch by eight-inch by twenty-four-inch prepoured concrete post and shall be securely bolted thereto. Such sheds and/or utility buildings shall be anchored into the ground according to the manufacturer's recommendations pertaining to any such particular shed or utility building.~~

SECTION 2. Enforcement. The provisions of this Ordinance shall be enforced as otherwise provided in the Code of Ordinances.

SECTION 3. Conflict with Other Ordinances and Codes. All ordinances or parts of ordinances of the City of New Port Richey, Florida, in conflict with the provisions of this ordinance, are hereby repealed to the extent of such conflict.

SECTION 4. Severability. If any provision or portion of this ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this ordinance shall remain in full force and effect.

SECTION 5. Effective Date. This ordinance shall take effect immediately upon its adoption as provided by law.

The foregoing Ordinance was duly read and approved on first reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this _____ day of _____, 2025, and read and adopted on second reading at a duly convened meeting of the City Council of the City of New Port Richey, Florida this ____ day of _____, 2025.

ATTEST:

By: _____
Judy Meyers, MMC, City Clerk

By: _____
Alfred C. Davis, Mayor-Council Member

(Seal)

APPROVED AS TO FORM AND LEGALITY FOR
THE SOLE USE AND RELIANCE OF THE CITY
OF NEW PORT RICHEY, FLORIDA:

Timothy P. Driscoll, City Attorney CA Approved 3/13/25

DRAFT