

**AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AMENDING CH. 150, ART. VI, CONTRACTORS, SECTION 150.530 UNLICENSED CONTRACTORS; PROHIBITIONS; PENALTIES AND ENFORCEMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St Lucie, Florida (“City”) desires to update Chapter 150, Building Regulations, Article VI, Contractors, section 150.530(d)(9) of the Port St. Lucie Code of Ordinances (“Code”) to include the applicable duration of liens established by order of the City’s Construction Board of Appeals, as well as the remedies and rights in enforcing same.

**NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:**

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Ordinance.

Section 2. Title XV, Land Usage, Chapter 150, Building Regulations, Article VI, Contractors, section 150.530(d)(9) of the Code is amended as follows (~~striketrough text~~ indicates deletions while underlined text indicates additions):

**ARTICLE VI. - CONTRACTORS**

**Sec. 150.530. – Unlicensed contractors; prohibitions; penalties and enforcement.**

(d) (9) A certified copy of an order imposing a civil penalty against an unlicensed contractor may be recorded in the public records and thereafter shall constitute a lien against any real or personal property owned by the violator. Upon petition to the circuit court, such order may be enforced in the same manner as a court judgment by the sheriffs of this state including a levy against personal property; however, such order shall not be deemed to be a court judgment except for

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enforcement purposes. After three (3) months from the filing of any such lien which remains unpaid, the construction board of appeals may authorize the foreclosure on the lien. No lien created pursuant to the provisions of this section may be foreclosed on real property, which is a homestead under Section 4, Article X of the State Constitution. No lien provided under this chapter shall continue for a period longer than 20 years after the certified copy of an order imposing a fine has been recorded, unless, within that time an action to foreclose on the lien is commenced in a court of competent jurisdiction. In an action to foreclose on a lien or a money judgment, the prevailing party is entitled to recover all costs, including reasonable attorney fees. The continuation of the lien affected by the commencement of the action shall not be good against creditors or subsequent purchasers of valuable consideration without notice, unless a notice of lis pendens is recorded. The City Council shall be entitled to collect all costs incurred in recording and satisfying a valid lien.

Section 3. Conflict. If any ordinances or parts of ordinances are in conflict herewith, this Ordinance shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Ordinance are intended to be severable. If any provision of this Ordinance is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Ordinance shall remain in full force and effect.

Section 5. Codification. The provisions of this Ordinance shall be made a part of the Code of Ordinances of the City of Port St. Lucie, Florida. The sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; the word “ordinance” may be changed to “section” or other appropriate word as may be necessary.

Section 6. Effective Date. This Ordinance shall become effective immediately upon final adoption on second reading.

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**PASSED AND ADOPTED** by the City Council of the City of Port St. Lucie,  
Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
Richard Berrios, Interim City Attorney