

RESOLUTION 22-R__

A RESOLUTION OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE IMPLEMENTATION AND ENFORCEMENT OF THE UNDERGROUND FACILITY DAMAGE PREVENTION AND SAFETY ACT, FOUND IN CHAPTER 556, FLORIDA STATUTES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida (“City”), continues to experience damage to its facilities due to contractor’s negligent acts during excavation and related activity; and

WHEREAS, the State of Florida enacted the Underground Facility Damage Prevention and Safety Act, found in Chapter 556, Florida Statutes (the “Act”); and

WHEREAS, damage to any underground facilities can result in a disruption to vital services; and

WHEREAS, the City desires to implement and enforce the provisions of the Act to protect its underground water and wastewater facilities; and

WHEREAS, the City Council hereby determines that enforcement of the Act serves a valid municipal and public purpose,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. The City Council hereby adopts and ratifies those matters set forth in the foregoing recitals.

Section 2. Authorization. The City Council of the City of Port St. Lucie, Florida, hereby authorizes the City Manager or his designee to take whatever steps necessary to implement and enforce the provisions of the Act, to dedicate certain city employees as code enforcement officers.

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

Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is held to be illegal, invalid, or unconstitutional by a Court of competent jurisdiction, then the remainder of this Resolution shall remain in full force and effect and this Resolution shall nevertheless stand and be construed as if the illegal or invalid part or portion had not been included herein.

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Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____ 2022.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

James D. Stokes, City Attorney