

ORDINANCE NO. 2017-10 OF THE CITY OF LAKE WORTH, FLORIDA, AMENDING CHAPTER 23, "LAND DEVELOPMENT REGULATIONS", ARTICLE 7, "FLOODPLAIN MANAGEMENT", DIVISION 1, "ADMINISTRATION", SECTION 23.7-2, "APPLICABILITY", SUBSECTION (C), "BASIS FOR ESTABLISHING FLOOD HAZARD AREAS", OF THE CODE OF ORDINANCES TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR SEVERABILITY, THE REPEAL OF LAWS IN CONFLICT, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Chapter 166, Florida Statutes, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, the City of Lake Worth participates in the National Flood Insurance Program and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

WHEREAS, the Federal Emergency Management Agency has revised and reissued the Flood Insurance Study for Palm Beach County, Florida and Incorporated Areas, with an effective date of October 5, 2017; and

WHEREAS, the City Commission has determined that it is in the public interest to amend Section 23.7-2 to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF LAKE WORTH, FLORIDA, that:

Section 1. The foregoing "WHEREAS" clauses are true and correct and are hereby ratified and confirmed by the City Commission.

Section 2. Chapter 23, "Land Development Regulations", Article 7, "Floodplain Management", Division 1, "Administration", Section 23.7-2, "Applicability", Subsection (c), "Basis for establishing flood hazard areas", is hereby amended to read as follows:

c) *Basis for establishing flood hazard areas.* The Flood Insurance Study and Wave Height Analysis, ~~City of Lake Worth, Florida, for Palm Beach County, Florida and Incorporated Areas, dated March 31, 1982~~ October 5, 2017, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood

hazard areas. Studies and maps that establish flood hazard areas are on file at the Lake Worth City Hall, 7 North Dixie Highway, Lake Worth, Florida 33460.

1. Submission of additional data to establish flood hazard areas. To establish flood hazard areas and base flood elevations, pursuant to section 23.7-5 of this article the floodplain administrator may require submission of additional data. Where field surveyed topography prepared by a Florida licensed professional surveyor or digital topography accepted by the community indicates that ground elevations:

- a. Are below the closest applicable base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as flood hazard area and subject to the requirements of this ordinance and, as applicable, the requirements of the Florida Building Code.
- b. Are above the closest applicable base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a letter of map change that removes the area from the special flood hazard area.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. Repeal of Laws in Conflict. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Codification. The sections of the ordinance may be made a part of the City Code of Laws and ordinances and may be re-numbered or re-lettered to accomplish such, and the word "ordinance" may be changed to "section", "division", or any other appropriate word.

Section 6. Effective Date. This ordinance shall become effective on ten (10) days after passage.

The passage of this ordinance on first reading was moved by Commissioner Amoroso, seconded by Vice Mayor Maxwell, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Omari Hardy	AYE
Commissioner Andy Amoroso	AYE
Commissioner Herman Robinson	AYE

The Mayor thereupon declared this ordinance duly passed on first reading on the 16th day of May, 2017.

The passage of this ordinance on second reading was moved by Commissioner Amoroso, seconded by Commissioner Hardy, and upon being put to a vote, the vote was as follows:

Mayor Pam Triolo	AYE
Vice Mayor Scott Maxwell	AYE
Commissioner Omari Hardy	AYE
Commissioner Andy Amoroso	AYE
Commissioner Herman Robinson	AYE

The Mayor thereupon declared this ordinance duly passed and enacted on the 6th day of June, 2017.

LAKE WORTH CITY COMMISSION

By: _____
Pam Triolo, Mayor

ATTEST:

Deborah Andrea, City Clerk