

ORDINANCE NO. 2020-004

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2
3 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY
4 OF WILTON MANORS, FLORIDA, AMENDING CHAPTER 9,
5 ENTITLED "FLOOD PREVENTION AND PROTECTION" OF
6 THE CODE OF ORDINANCES OF THE CITY OF WILTON
7 MANORS; AMENDING ARTICLE I ENTITLED
8 "ADMINISTRATION", DIVISION 1 ENTITLED "GENERAL",
9 SECTION 9-2 ENTITLED "SCOPE"; AMENDING DIVISION 2
10 ENTITLED "APPLICABILITY", SECTION 9-9 ENTITLED
11 "BASIS FOR ESTABLISHING FLOOD HAZARD AREAS";
12 AMENDING DIVISION 3 ENTITLED "DUTIES AND POWERS
13 OF THE FLOODPLAIN ADMINISTRATOR", SECTION 9-16
14 ENTITLED "SUBSTANTIAL IMPROVEMENT AND
15 SUBSTANTIAL DAMAGE DETERMINATIONS"; AMENDING
16 DIVISION 5 ENTITLED "SITE PLANS AND CONSTRUCTION
17 DOCUMENTS", SECTION 9-29 ENTITLED "INFORMATION
18 FOR DEVELOPMENT IN FLOOD HAZARD AREAS",
19 DELETING SECTION 9-30 ENTITLED "INFORMATION IN
20 FLOOD HAZARD AREAS WITHOUT BASE FLOOD
21 ELEVATIONS (APPROXIMATE ZONE A)", RENUMBERING
22 SECTIONS, AMENDING SECTION 9-30 ENTITLED
23 "ADDITIONAL ANALYSES AND CERTIFICATIONS";
24 AMENDING DIVISION 6 ENTITLED "INSPECTIONS",
25 SECTION 9-33.2.1 ENTITLED "BUILDINGS, STRUCTURES
26 AND FACILITIES EXEMPT FROM THE FLORIDA BUILDING
27 CODE, LOWEST FLOOR INSPECTION"; AMENDING
28 DIVISION 7 ENTITLED "VARIANCES AND APPEALS",
29 DELETING SECTION 9-36.1 ENTITLED "RESTRICTIONS IN
30 FLOODWAYS"; AMENDING DIVISION 8 ENTITLED
31 "VIOLATIONS"; AMENDING ARTICLE II ENTITLED
32 "DEFINITIONS", DIVISION 2 ENTITLED "DEFINITIONS";
33 AMENDING ARTICLE III ENTITLED "FLOOD RESISTANT
34 DEVELOPMENT", DIVISION 1 ENTITLED "BUILDINGS AND
35 STRUCTURES", SECTION 9-55 ENTITLED "SPECIFIC
36 METHODS OF CONSTRUCTION AND REQUIREMENTS",
37 DIVISION 2 ENTITLED "SUBDIVISIONS", AND DIVISION 3
38 ENTITLED "SITE IMPROVEMENTS, UTILITIES AND
39 LIMITATIONS"; DELETING SECTION 9-60 ENTITLED
40 "LIMITATIONS ON SITES IN REGULATORY FLOODWAYS";
41 AMENDING DIVISION 5 ENTITLED "RECREATIONAL
42 VEHICLES AND PARK TRAILERS", SECTION 9-69 ENTITLED
43 "PERMANENT PLACEMENT"; AMENDING DIVISION 7
44 ENTITLED "OTHER DEVELOPMENT", SECTION 9-74
45 ENTITLED "GENERAL REQUIREMENTS FOR OTHER

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1 **DEVELOPMENT”; DELETING SECTIONS 9-75 THROUGH 9-**
2 **77; PROVIDING FOR CODIFICATION; PROVIDING FOR**
3 **SEVERABILITY; PROVIDING FOR CONFLICTS; AND**
4 **PROVIDING AN EFFECTIVE DATE.**

5
6 **WHEREAS**, City Staff periodically reviews the Ordinances of the City of
7 Wilton Manors, Florida and makes recommendations to the City Commission to revise
8 its Ordinances; and

9 **WHEREAS**, the City Commission of the City of Wilton Manors, Florida
10 deems it to be in the best interests of the citizens, businesses, and residents of the City
11 to amend the Code of Ordinances as set forth herein.

12 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION**
13 **OF THE CITY OF WILTON MANORS, FLORIDA:**

14 **Section 1:** The foregoing “WHEREAS” clauses are hereby ratified as being
15 true and correct and are hereby made a specific part of this Ordinance upon adoption
16 hereof.

17 **Section 2:** Chapter 9 of the City Code of the City of Wilton Manors, entitled
18 “Flood Prevention and Protection” is hereby amended to provide as follows:

19 **Chapter 9 - FLOOD PREVENTION AND PROTECTION**

20
21 **ARTICLE I. - ADMINISTRATION**

22
23 **DIVISION 1. - GENERAL**

24
25 **Sec. 9-1. - Title.**

26
27 These regulations shall be known as the Floodplain Management Ordinance of City
28 of Wilton Manors, Florida, hereinafter referred to as "this chapter."
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30 **Sec. 9-2. - Scope.**

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1 The provisions of this chapter shall apply to all development that is wholly within or
2 partially within any flood hazard area, including but not limited to the subdivision of
3 land; filling, grading, and other site improvements and utility installations; construction,
4 alteration, remodeling, enlargement, improvement, replacement, repair, relocation or
5 demolition of buildings, structures, and facilities that are exempt from the Florida
6 Building Code; placement, installation, or replacement of manufactured homes and
7 manufactured buildings; installation or replacement of tanks; placement of recreational
8 vehicles; installation of swimming pools; and any other development. Where specified,
9 elevation requirements apply to buildings outside of mapped flood hazard areas.

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11 **Sec. 9-3. - Intent.**

12
13 The purposes of this chapter and the flood load and flood resistant construction
14 requirements of the Florida Building Code are to establish minimum requirements to
15 safeguard the public health, safety, and general welfare and to minimize public and
16 private losses due to flooding through regulation of development in flood hazard areas
17 to:

- 18
19 (1) Minimize unnecessary disruption of commerce, access and public service
20 during times of flooding;
21 (2) Require the use of appropriate construction practices in order to prevent or
22 minimize future flood damage;
23 (3) Manage filling, grading, dredging, mining, paving, excavation, drilling
24 operations, storage of equipment or materials, and other development which
25 may increase flood damage or erosion potential;
26 (4) Manage the alteration of flood hazard areas, watercourses, and shorelines to
27 minimize the impact of development on the natural and beneficial functions of
28 the floodplain;
29 (5) Minimize damage to public and private facilities and utilities;
30 (6) Help maintain a stable tax base by providing for the sound use and
31 development of flood hazard areas;
32 (7) Minimize the need for future expenditure of public funds for flood control
33 projects and response to and recovery from flood events; and
34 (8) Meet the requirements of the National Flood Insurance Program for
35 community participation as set forth in the Title 44 Code of Federal
36 Regulations, Section 59.22.

37
38 **Sec. 9-4. - Coordination with the Florida Building Code.**

39
40 This chapter is intended to be administered and enforced in conjunction with the
41 Florida Building Code. Where cited, ASCE 24 refers to the edition of the standard that
42 is referenced by the Florida Building Code.

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45 **Sec. 9-5. - Warning.**

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The degree of flood protection required by this chapter and the Florida Building Code, as amended by ~~this community~~ the City of Wilton Manors, is considered the minimum reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. This chapter does not imply that land inside or outside of mapped special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the flood insurance study and shown on flood insurance rate maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring ~~this community~~ the City of Wilton Manors to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with this chapter.

Sec. 9-6. - Disclaimer of liability.

This chapter shall not create liability on the part of ~~eCity~~ eCommission of the City of Wilton Manors, Florida or by any officer or employee thereof for any flood damage that results from reliance on this chapter or any administrative decision lawfully made thereunder.

DIVISION 2. - APPLICABILITY

Sec. 9-7. - General.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

Sec. 9-8. - Areas to which this chapter applies.

This chapter shall apply to all flood hazard areas within the City of Wilton Manors, Florida, as established in section 9-9 of this chapter.

Sec. 9-9. - Basis for establishing flood hazard areas.

The ~~flood insurance study~~ Flood Insurance Study for Broward County, Florida and Incorporated Areas, dated August 18, 2014 ~~October 2, 1997~~, 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 chapter 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 ~~Office of eCity~~ Office of eCity Clerk or in the ~~eCommunity dDevelopment sServices dDepartment~~ eCommunity dDevelopment sServices dDepartment, City of Wilton Manors, located at 2020 Wilton Drive, Wilton Manors, Florida 33305.

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1 **Sec. 9-9.1. - Submission of additional data to establish flood hazard areas.**
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3 To establish flood hazard areas and base flood elevations, pursuant to ~~a~~Article I,
4 ~~d~~Division 5 of this chapter the floodplain administrator may require submission of
5 additional data. Where field surveyed topography prepared by a Florida licensed
6 professional surveyor or digital topography accepted by the ~~community~~ City of Wilton
7 Manors indicates that ground elevations:
8

- 9 (1) Are below the closest applicable base flood elevation, even in areas not
10 delineated as a special flood hazard area on a FIRM, the area shall be
11 considered as flood hazard area and subject to the requirements of this chapter
12 and, as applicable, the requirements of the Florida Building Code.
13 (2) Are above the closest applicable base flood elevation, the area shall be
14 regulated as special flood hazard area unless the applicant obtains a letter of
15 map change that removes the area from the special flood hazard area.
16

17 **Sec. 9-10. - Other laws.**
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19 The provisions of this chapter shall not be deemed to nullify any provisions of local,
20 state or federal law.
21

22 **Sec. 9-11. - Abrogation and greater restrictions.**
23

24 The ordinance from which this chapter is derived supersedes any ordinance in effect
25 for management of development in flood hazard areas. However, it is not intended to
26 repeal or abrogate any existing ordinances including but not limited to land
27 development regulations, zoning ordinances, stormwater management regulations, or
28 the Florida Building Code. In the event of a conflict between the ordinance from which
29 this chapter is derived and any other ordinance, the more restrictive shall govern. This
30 chapter shall not impair any deed restriction, covenant or easement, but any land that is
31 subject to such interests shall also be governed by this chapter.
32

33 **Sec. 9-12. - Interpretation.**
34

35 In the interpretation and application of this chapter, all provisions shall be:

- 36 (1) Considered as minimum requirements;
37 (2) Liberally construed in favor of the governing body; and
38 (3) Deemed neither to limit nor repeal any other powers granted under state
39 statutes.
40

41 **DIVISION 3. - DUTIES AND POWERS OF THE FLOODPLAIN**
42 **ADMINISTRATOR**
43

44 **Sec. 9-13. - Designation.**
45

1 The ~~f~~Floodplain ~~a~~Administrator shall be designated by the ~~e~~City ~~m~~Manager. The
2 ~~f~~Floodplain ~~a~~Administrator may delegate performance of certain duties to other
3 employees.
4

5 **Sec. 9-14. - General.**
6

7 The ~~f~~Floodplain ~~a~~Administrator is authorized and directed to administer and enforce
8 the provisions of this chapter. The ~~f~~Floodplain ~~a~~Administrator shall have the authority
9 to render interpretations of this chapter consistent with the intent and purpose of this
10 chapter and may establish policies and procedures in order to clarify the application of
11 its provisions. Such interpretations, policies, and procedures shall not have the effect of
12 waiving requirements specifically provided in this chapter without the granting of a
13 variance pursuant to ~~a~~Article I, ~~d~~Division 7 of this chapter.
14

15 **Sec. 9-15. - Applications and permits.**
16

17 The ~~f~~Floodplain ~~a~~Administrator, in coordination with other pertinent offices of the
18 community, shall:
19

- 20 (1) Review applications and plans to determine whether proposed new
21 development will be located in flood hazard areas;
- 22 (2) Review applications for modification of any existing development in flood
23 hazard areas for compliance with the requirements of this chapter;
- 24 (3) Interpret flood hazard area boundaries where such interpretation is necessary to
25 determine the exact location of boundaries; a person contesting the
26 determination shall have the opportunity to appeal the interpretation;
- 27 (4) Provide available flood elevation and flood hazard information;
- 28 (5) Determine whether additional flood hazard data shall be obtained from other
29 sources or shall be developed by an applicant;
- 30 (6) Review applications to determine whether proposed development will be
31 reasonably safe from flooding;
- 32 (7) Issue floodplain development permits or approvals for development other than
33 buildings and structures that are subject to the Florida Building Code,
34 including buildings, structures and facilities exempt from the Florida Building
35 Code, when compliance with this chapter is demonstrated, or disapprove the
36 same in the event of noncompliance; and
- 37 (8) Coordinate with and provide comments to the ~~b~~Building ~~e~~Official to assure
38 that applications, plan reviews, and inspections for buildings and structures in
39 flood hazard areas comply with the applicable provisions of this chapter.
40

41 **Sec. 9-16. - Substantial improvement and substantial damage determinations.**
42

43 For applications for building permits to improve buildings and structures, including
44 alterations, movement, enlargement, replacement, repair, change of occupancy,
45 additions, rehabilitations, renovations, substantial improvements, repairs of substantial

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1 damage, and any other improvement of or work on such buildings and structures, the
2 ~~f~~Floodplain ~~a~~Administrator, in coordination with the ~~b~~B~~u~~ilding ~~e~~Official, shall:

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4 (1) Estimate the market value, or require the applicant to obtain an appraisal of the
5 market value prepared by a qualified independent appraiser, of the building or
6 structure before the start of construction of the proposed work; in the case of
7 repair, the market value of the building or structure shall be the market value
8 before the damage occurred and before any repairs are made;
- 9 (2) Compare the cost to perform the improvement, the cost to repair a damaged
10 building to its pre-damaged condition, or the combined costs of improvements
11 and repairs, if applicable, to the market value of the building or structure;
- 12 (3) Determine and document whether the proposed work constitutes substantial
13 improvement or repair of substantial damage; the determination requires
14 evaluation of previous permits issued for improvements and repairs as
15 specified in the definition of "substantial improvements"; and
- 16 (4) Notify the applicant if it is determined that the work constitutes substantial
17 improvement or repair of substantial damage and that compliance with the
18 flood resistant construction requirements of the Florida Building Code and this
19 chapter is required.
20

21 **Sec. 9-17. - Modifications of the strict application of the requirements of the**
22 **Florida Building Code.**

23
24 The ~~f~~Floodplain ~~a~~Administrator shall review requests submitted to the ~~b~~B~~u~~ilding
25 ~~e~~Official that seek approval to modify the strict application of the flood load and flood
26 resistant construction requirements of the Florida Building Code to determine whether
27 such requests require the granting of a variance pursuant to ~~a~~Article I, ~~d~~Division 7 of
28 this chapter.
29

30 **Sec. 9-18. - Notices and orders.**

31
32 The ~~f~~Floodplain ~~a~~Administrator shall coordinate with appropriate local agencies for
33 the issuance of all necessary notices or orders to ensure compliance with this chapter.
34

35 **Sec. 9-19. - Inspections.**

36
37 The ~~f~~Floodplain ~~a~~Administrator shall make the required inspections as specified in
38 ~~a~~Article I, ~~d~~Division 6 of this chapter for development that is not subject to the Florida
39 Building Code, including buildings, structures and facilities exempt from the Florida
40 Building Code. The ~~f~~Floodplain ~~a~~Administrator shall inspect flood hazard areas to
41 determine if development is undertaken without issuance of a permit.
42

43 **Sec. 9-20. - Other duties of the ~~f~~Floodplain ~~a~~Administrator.**

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45 The ~~f~~Floodplain ~~a~~Administrator shall have other duties, including but not limited to:

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- (1) Establish, in coordination with the ~~h~~Building ~~o~~Official, procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to section 9-16 of this chapter;
- (2) Require that applicants proposing alteration of a watercourse notify adjacent communities and the Florida Division of Emergency Management, ~~s~~State ~~f~~Floodplain ~~m~~Management ~~o~~Office, and submit copies of such notifications to the Federal Emergency Management Agency (FEMA);
- (3) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the flood insurance rate maps if the analyses propose to change base flood elevations, ~~or~~ flood hazard area boundaries, ~~or~~ floodway designations; such submissions shall be made within six (6) months of such data becoming available;
- (4) Review required design certifications and documentation of elevations specified by this chapter and the Florida Building Code and this chapter to determine that such certifications and documentations are complete; and
- (5) Notify the Federal Emergency Management Agency when the corporate boundaries of City of Wilton Manors, Florida are modified.

Sec. 9-21. - Floodplain management records.

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Regardless of any limitation on the period required for retention of public records, the ~~f~~Floodplain ~~a~~Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this chapter and the flood resistant construction requirements of the Florida Building Code, including flood insurance rate maps; letters of change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the Florida Building Code and this chapter; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity of altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this chapter and the flood resistant construction requirements of the Florida Building Code. These records shall be available for public inspection at ~~o~~Office of ~~e~~City ~~e~~Clerk or in the ~~e~~Community ~~d~~Development ~~s~~Services ~~d~~Department, City of Wilton Manors, located at 2020 Wilton Drive, Wilton Manors, Florida 33305.

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DIVISION 4. - PERMITS

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Sec. 9-22. - Permits required.

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Any owner or owner's authorized agent (hereinafter "applicant") who intends to undertake any development activity within the scope of this chapter, including

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1 buildings, structures and facilities exempt from the Florida Building Code, which is
2 wholly within or partially within any flood hazard area shall first make application to
3 the fFloodplain aAdministrator, and the bBuilding eOfficial if applicable, and shall
4 obtain the required permit(s) and approval(s). No such permit or approval shall be
5 issued until compliance with the requirements of this chapter and all other applicable
6 codes and regulations has been satisfied.

7
8 **Sec. 9-23. - Floodplain development permits or approvals.**

9
10 Floodplain development permits or approvals shall be issued pursuant to this
11 chapter for any development activities not subject to the requirements of the Florida
12 Building Code, including buildings, structures and facilities exempt from the Florida
13 Building Code. Depending on the nature and extent of proposed development that
14 includes a building or structure, the Floodplain Administrator may determine that a
15 floodplain development permit or approval is required in addition to a building permit.

16
17 **Sec. 9-23.1. - Buildings, structures and facilities exempt from the Florida Building**
18 **Code.**

19
20 Pursuant to the requirements of federal regulation for participation in the National
21 Flood Insurance Program (44 C.F.R. Sections 59 and 60), floodplain development
22 permits or approvals shall be required for the following buildings, structures and
23 facilities that are exempt from the Florida Building Code and any further exemptions
24 provided by law, which are subject to the requirements of this chapter:

- 25
26 (1) Railroads and ancillary facilities associated with the railroad.
27 (2) Nonresidential farm buildings on farms, as provided in F.S. § 604.50.
28 (3) Temporary buildings or sheds used exclusively for construction purposes.
29 (4) Mobile or modular structures used as temporary offices.
30 (5) Those structures or facilities of electric utilities, as defined in section F.S. §
31 366.02, which are directly involved in the generation, transmission, or
32 distribution of electricity.
33 (6) Chickees constructed by the Miccosukee Tribe of Indians of Florida or the
34 Seminole Tribe of Florida. As used in this paragraph, the term "chickee"
35 means an open-sided wooden hut that has a thatched roof of palm or palmetto
36 or other traditional materials, and that does not incorporate any electrical,
37 plumbing, or other non-wood features.
38 (7) Family mausoleums not exceeding two hundred fifty (250) square feet in area
39 which are prefabricated and assembled on site or preassembled and delivered
40 on site and have walls, roofs, and a floor constructed of granite, marble, or
41 reinforced concrete.
42 (8) Temporary housing provided by the dDepartment of eCorrections to any
43 prisoner in the state correctional system.

- 1 (9) Structures identified in F.S. § 553.73(10)(k), are not exempt from the Florida
2 Building Code if such structures are located in flood hazard areas established
3 on flood insurance rate maps.
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5 **Sec. 9-24. - Application for a permit or approval.**
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7 To obtain a floodplain development permit or approval the applicant shall first file
8 an application in writing on a form furnished by the eCommunity Development
9 Services Department. The information provided shall:
10

- 11 (1) Identify and describe the development to be covered by the permit or approval.
12 (2) Describe the land on which the proposed development is to be conducted by
13 legal description, street address or similar description that will readily identify
14 and definitively locate the site.
15 (3) Indicate the use and occupancy for which the proposed development is
16 intended.
17 (4) Be accompanied by a site plan or construction documents as specified in
18 aArticle I, dDivision 5 of this chapter.
19 (5) State the valuation of the proposed work.
20 (6) Be signed by the applicant or the applicant's authorized agent.
21 (7) Give such other data and information as required by the fFloodplain
22 aAdministrator.
23

24 **Sec. 9-25. - Validity of permit or approval.**
25

26 The issuance of a floodplain development permit or approval pursuant to the
27 ordinance from which this chapter is derived shall not be construed to be a permit for,
28 or approval of, any violation of the ordinance from which this chapter is derived, the
29 Florida Building Codes, or any other ordinance of ~~this community~~ the City of Wilton
30 Manors. The issuance of permits based on submitted applications, construction
31 documents, and information shall not prevent the fFloodplain aAdministrator from
32 requiring the correction of errors and omissions.
33

34 **Sec. 9-26. - Expiration.**
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36 A floodplain development permit or approval shall become invalid unless the work
37 authorized by such permit is commenced within one hundred eighty (180) days after its
38 issuance, or if the work authorized is suspended or abandoned for a period of one
39 hundred eighty (180) days after the work commences. Extensions for periods of not
40 more than one hundred eighty (180) days each shall be requested in writing and
41 justifiable cause shall be demonstrated.
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1 **Sec. 9-27. - Suspension or revocation.**

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3 The ~~f~~Floodplain ~~a~~Administrator is authorized to suspend or revoke a floodplain
4 development permit or approval if the permit was issued in error, on the basis of
5 incorrect, inaccurate or incomplete information, or in violation of the ordinance from
6 which this chapter is derived or any other ordinance, regulation or requirement of ~~this~~
7 ~~community~~ the City of Wilton Manors.

8
9 **Sec. 9-28. - Other permits required.**

10
11 Floodplain development permits and building permits shall include a condition that
12 all other applicable state or federal permits be obtained before commencement of the
13 permitted development, including but not limited to the following:

- 14
15 (1) The South Florida Water Management District; F.S. § 373.036.
16 (2) Florida Department of Health for onsite sewage treatment and disposal
17 systems; F.S. § 381.0065, and Chapter 64E-6, F.A.C.
18 (3) Florida Department of Environmental Protection for activities subject to the
19 Joint Coastal Permit; F.S. § 161.055.
20 (4) Florida Department of Environmental Protection for activities that affect
21 wetlands and alter surface water flows, in conjunction with the U.S. Army
22 Corps of Engineers; Section 404 of the Clean Water Act.
23 (5) Federal permits and approvals.

24
25 **DIVISION 5. - SITE PLANS AND CONSTRUCTION DOCUMENTS**

26
27 **Sec. 9-29. - Information for development in flood hazard areas.**

28
29 The site plan or construction documents for any development subject to the
30 requirements of this chapter shall be drawn to scale and shall include, as applicable to
31 the proposed development:

- 32
33 (1) Delineation of flood hazard areas, ~~floodway boundaries and~~ flood zone(s), base
34 flood elevation(s), and ground elevations if necessary for review of the
35 proposed development.
36 ~~(2) Where base flood elevations, or floodway data are not included on the FIRM~~
37 ~~or in the flood insurance study, they shall be established in accordance with~~
38 ~~section 9-30(2) or (3) of this chapter.~~
39 ~~(3) Where the parcel on which the proposed development will take place will have~~
40 ~~more than fifty (50) lots or is larger than five (5) acres and the base flood~~
41 ~~elevations are not included on the FIRM or in the flood insurance study, such~~
42 ~~elevations shall be established in accordance with section 9-30(1) of this~~
43 ~~chapter.~~
44 (4) Location of the proposed activity and proposed structures, and locations of
45 existing buildings and structures.

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- 1 (53) Location, extent, amount, and proposed final grades of any filling, grading, or
2 excavation.
3 (64) Where the placement of fill is proposed, the amount, type, and source of fill
4 material; compaction specifications; a description of the intended purpose of
5 the fill areas; and evidence that the proposed fill areas are the minimum
6 necessary to achieve the intended purpose.
7 (75) Existing and proposed alignment of any proposed alteration of a watercourse.

8
9 The ~~f~~Floodplain ~~a~~AAdministrator is authorized to waive the submission of site plans,
10 construction documents, and other data that are required by this chapter but that are not
11 required to be prepared by a registered design professional if it is found that the nature
12 of the proposed development is such that the review of such submissions is not
13 necessary to ascertain compliance with this chapter.

14
15 ~~Sec. 9-30. — Information in flood hazard areas without base flood elevations~~
16 ~~(approximate zone A).~~

17
18 ~~Where flood hazard areas are delineated on the FIRM and base flood elevation data~~
19 ~~have not been provided, the floodplain administrator shall:~~

- 20
21 ~~(1) Require the applicant to include base flood elevation data prepared in~~
22 ~~accordance with currently accepted engineering practices.~~
23 ~~(2) Obtain, review, and provide to applicants base flood elevation and floodway~~
24 ~~data available from a federal or state agency or other source or require the~~
25 ~~applicant to obtain and use base flood elevation and floodway data available~~
26 ~~from a federal or state agency or other source.~~
27 ~~(3) Where base flood elevation and floodway data are not available from another~~
28 ~~source, where the available data are deemed by the floodplain administrator to~~
29 ~~not reasonably reflect flooding conditions, or where the available data are~~
30 ~~known to be scientifically or technically incorrect or otherwise inadequate:~~
31 ~~a. Require the applicant to include base flood elevation data prepared in~~
32 ~~accordance with currently accepted engineering practices; or~~
33 ~~b. Specify that the base flood elevation is two (2) feet above the highest~~
34 ~~adjacent grade at the location of the development, provided there is no~~
35 ~~evidence indicating flood depths have been or may be greater than two (2)~~
36 ~~feet.~~
37 ~~(4) Where the base flood elevation data are to be used to support a letter of map~~
38 ~~change from FEMA, advise the applicant that the analyses shall be prepared by~~
39 ~~a Florida licensed engineer in a format required by FEMA, and that it shall be~~
40 ~~the responsibility of the applicant to satisfy the submittal requirements and pay~~
41 ~~the processing fees.~~

1 | **Sec. 9-31 30. - Additional analyses and certifications.**

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3 As applicable to the location and nature of the proposed development activity, and
4 in addition to the requirements of this section, the applicant shall have the following
5 | analyses signed and sealed by a Florida licensed engineer for submission with the site
6 plan and construction documents:
7

8 ~~(1) For development activities proposed to be located in a regulatory floodway, a~~
9 ~~floodway encroachment analysis that demonstrates that the encroachment of~~
10 ~~the proposed development will not cause any increase in base flood elevations;~~
11 ~~where the applicant proposes to undertake development activities that do~~
12 ~~increase base flood elevations, the applicant shall submit such analysis to~~
13 ~~FEMA as specified in section 9-32 of this chapter and shall submit the~~
14 ~~conditional letter of map revision, if issued by FEMA, with the site plan and~~
15 ~~construction documents.~~

16 ~~(2) For development activities proposed to be located in a riverine flood hazard~~
17 ~~area for which base flood elevations are included in the flood insurance study~~
18 ~~or on the FIRM and floodways have not been designated, hydrologic and~~
19 ~~hydraulic analyses that demonstrate that the cumulative effect of the proposed~~
20 ~~development, when combined with all other existing and anticipated flood~~
21 ~~hazard area encroachments, will not increase the base flood elevation more~~
22 ~~than one (1) foot at any point within the community. This requirement does not~~
23 ~~apply in isolated flood hazard areas not connected to a riverine flood hazard~~
24 ~~area or in flood hazard areas identified as zone AO or zone AH.~~

25 (31) For alteration of a watercourse, the applicant shall have an engineering
26 analysis prepared in accordance with standard engineering practices and signed
27 and sealed by a Florida licensed engineer which demonstrates that the flood-
28 carrying capacity of the altered or relocated portion of the watercourse will not
29 be decreased, and certification that the altered watercourse shall be maintained
30 in a manner which preserves the channel's flood-carrying capacity; the
31 applicant shall submit the analysis to FEMA as specified in section 9-3231 of
32 this chapter.
33

34 **Sec. 9-32 31. - Submission of additional data.**

35
36 When additional hydrologic, hydraulic or other engineering data, studies, and
37 additional analyses are submitted to support an application, the applicant has the right to
38 seek a letter of map change from FEMA to change the base flood elevations, ~~change~~
39 ~~floodway boundaries~~, or change boundaries of flood hazard areas shown on FIRMs, and
40 to submit such data to FEMA for such purposes. The analyses shall be prepared by a
41 Florida licensed engineer in a format required by FEMA. Submittal requirements and
42 processing fees shall be the responsibility of the applicant.
43
44
45

1 **DIVISION 6. - INSPECTIONS**

2
3 **Sec. 9-33 ~~32.~~ - General.**

4
5 Development for which a floodplain development permit or approval is required
6 shall be subject to inspection.

7
8 **Sec. 9-33.1 32.1. - Development other than buildings and structures.**

9
10 The ~~f~~Floodplain ~~a~~Administrator shall inspect all development to determine
11 compliance with the requirements of this chapter and the conditions of issued floodplain
12 development permits or approvals.

13
14 **Sec. 9-33.2 32.2. - Buildings, structures and facilities exempt from the Florida**
15 **Building Code.**

16 The Floodplain Administrator shall inspect buildings, structures and facilities
17 exempt from the Florida Building Code to determine compliance with the requirements
18 of this chapter and the conditions of issued floodplain development permits or
19 approvals.

20
21 **Sec. 9-33.2.1 32.2.1. - Buildings, structures and facilities exempt from the Florida**
22 **Building Code, lowest floor inspection.**

23
24 Upon placement of the lowest floor, including basement, and prior to further vertical
25 construction, the owner of a building, structure or facility exempt from the Florida
26 Building Code, or the owner's authorized agent, shall submit to the ~~f~~Floodplain
27 ~~a~~Administrator the certification of elevation of the lowest floor prepared and sealed by a
28 Florida licensed professional surveyor. ÷

- 29
30 ~~(1) If a design flood elevation was used to determine the required elevation of the~~
31 ~~lowest floor, the certification of elevation of the lowest floor prepared and~~
32 ~~sealed by a Florida licensed professional surveyor; or~~
33 ~~(2) If the elevation used to determine the required elevation of the lowest floor was~~
34 ~~determined in accordance with section 9-30(3)b of this chapter, the~~
35 ~~documentation of height of the lowest floor above highest adjacent grade,~~
36 ~~prepared by the owner or the owner's authorized agent.~~

37
38 **Sec. 9-33.2.2 32.2.2. - Buildings, structures and facilities exempt from the Florida**
39 **Building Code, final inspection.**

40
41 As part of the final inspection, the owner or owner's authorized agent shall submit to
42 the ~~f~~Floodplain ~~a~~Administrator a final certification of elevation of the lowest floor or
43 final documentation of the height of the lowest floor above the highest adjacent grade;
44 such certifications and documentations shall be prepared as specified in section 9-
45 ~~33.2.1~~32.2.1 of this chapter.

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1 **Sec. ~~9-33.2.3~~ 32.2.3. - Manufactured homes.**

2
3 The building official shall inspect manufactured homes that are installed or replaced
4 in flood hazard areas to determine compliance with the requirements of this chapter and
5 the conditions of the issued permit. Upon placement of a manufactured home,
6 certification of the elevation of the lowest floor shall be submitted to the building
7 official.

8
9 **DIVISION 7. - VARIANCES AND APPEALS**

10
11 **Sec. 9-34 33. - General.**

12
13 The planning and zoning board shall hear and decide on requests for appeals
14 and requests for variances from the strict application of this chapter. Pursuant to F.S. §
15 553.73(5), the planning and zoning board shall hear and decide on requests for
16 appeals and requests for variances from the strict application of the flood resistant
17 construction requirements of the Florida Building Code.

18
19 **Sec. 9-35 34. - Appeals.**

20
21 The planning and zoning board shall hear and decide appeals when it is alleged
22 there is an error in any requirement, decision, or determination made by the floodplain
23 aAdministrator in the administration and enforcement of this chapter. Any person
24 aggrieved by the decision of planning and zoning board may appeal such decision
25 to the circuit court, as provided by Florida Statutes.

26
27 **Sec. 9-36 35. - Limitations on authority to grant variances.**

28
29 The planning and zoning board shall base its decisions on variances on
30 technical justifications submitted by applicants, the considerations for issuance in
31 section ~~9-39~~38 of this chapter, the conditions of issuance set forth in section ~~9-40~~39 of
32 this chapter, and the comments and recommendations of the floodplain aAdministrator
33 and the building official. The planning and zoning board has the right to attach
34 such conditions as it deems necessary to further the purposes and objectives of this
35 chapter.

36
37 **Sec. ~~9-36.1~~. - Restrictions in floodways.**

38
39 ~~A variance shall not be issued for any proposed development in a floodway if any~~
40 ~~increase in base flood elevations would result, as evidenced by the applicable analyses~~
41 ~~and certifications required in section 9-31 of this chapter.~~

1 **Sec. 9-~~37~~ 36. - Historic buildings.**

2
3 A variance is authorized to be issued for the repair, improvement, or rehabilitation
4 of a historic building that is determined eligible for the exception to the flood resistant
5 construction requirements of the Florida Building Code, Existing Building, Chapter 12
6 ~~11~~ Historic Buildings, upon a determination that the proposed repair, improvement, or
7 rehabilitation will not preclude the building's continued designation as a historic
8 building and the variance is the minimum necessary to preserve the historic character
9 and design of the building. If the proposed work precludes the building's continued
10 designation as a historic building, a variance shall not be granted and the building and
11 any repair, improvement, and rehabilitation shall be subject to the requirements of the
12 Florida Building Code.

13
14 **Sec. 9-~~38~~ 37. - Functionally dependent uses.**

15
16 A variance is authorized to be issued for the construction or substantial
17 improvement necessary for the conduct of a functionally dependent use, as defined in
18 this chapter, ~~provided the variance meets the requirements of section 9-36.1,~~ is the
19 minimum necessary considering the flood hazard, and all due consideration has been
20 given to use of methods and materials that minimize flood damage during occurrence of
21 the base flood.

22
23 **Sec. 9-~~39~~ 38. - Considerations for issuance of variances.**

24
25 In reviewing requests for variances, the ~~p~~Planning and ~~z~~Zoning ~~b~~Board shall
26 consider all technical evaluations, all relevant factors, all other applicable provisions of
27 the Florida Building Code, this chapter, and the following:

- 28
29 (1) The danger that materials and debris may be swept onto other lands resulting in
30 further injury or damage;
- 31 (2) The danger to life and property due to flooding or erosion damage;
- 32 (3) The susceptibility of the proposed development, including contents, to flood
33 damage and the effect of such damage on current and future owners;
- 34 (4) The importance of the services provided by the proposed development to the
35 community;
- 36 (5) The availability of alternate locations for the proposed development that are
37 subject to lower risk of flooding or erosion;
- 38 (6) The compatibility of the proposed development with existing and anticipated
39 development;
- 40 (7) The relationship of the proposed development to the comprehensive plan and
41 floodplain management program for the area;
- 42 (8) The safety of access to the property in times of flooding for ordinary and
43 emergency vehicles;

- 1 (9) The expected heights, velocity, duration, rate of rise and debris and sediment
2 transport of the floodwaters and the effects of wave action, if applicable,
3 expected at the site; and
4 (10) The costs of providing governmental services during and after flood conditions
5 including maintenance and repair of public utilities and facilities such as
6 sewer, gas, electrical and water systems, streets and bridges.
7

8 **Sec. 9-40 39. - Conditions for issuance of variances.**
9

10 Variances shall be issued only upon:

- 11 (1) Submission by the applicant, of a showing of good and sufficient cause that the
12 unique characteristics of the size, configuration, or topography of the site limit
13 compliance with any provision of this chapter or the required elevation
14 standards;
15 (2) Determination by the ~~p~~lanning and ~~z~~oning ~~b~~oard that:
16 a. Failure to grant the variance would result in exceptional hardship due to
17 the physical characteristics of the land that render the lot undevelopable;
18 increased costs to satisfy the requirements or inconvenience do not
19 constitute hardship;
20 b. The granting of a variance will not result in increased flood heights,
21 additional threats to public safety, extraordinary public expense, nor create
22 nuisances, cause fraud on or victimization of the public or conflict with
23 existing local laws and ordinances; and
24 c. The variance is the minimum necessary, considering the flood hazard, to
25 afford relief;
26 (3) Receipt of a signed statement by the applicant that the variance, if granted,
27 shall be recorded in the office of the clerk of the court in such a manner that it
28 appears in the chain of title of the affected parcel of land; and
29 (4) If the request is for a variance to allow construction of the lowest floor of a
30 new building, or substantial improvement of a building, below the required
31 elevation, a copy in the record of a written notice from the ~~f~~floodplain
32 ~~a~~administrator to the applicant for the variance, specifying the difference
33 between the base flood elevation and the proposed elevation of the lowest
34 floor, stating that the cost of federal flood insurance will be commensurate
35 with the increased risk resulting from the reduced floor elevation (up to
36 amounts as high as twenty-five (\$25.00) for one hundred dollars (\$100.00) of
37 insurance coverage), and stating that construction below the base flood
38 elevation increases risks to life and property.
39

40 **DIVISION 8. - VIOLATIONS**

41
42 **Sec. 9-41 40. - Violations.**
43

44 Any development that is not within the scope of the Florida Building Code but that
45 is regulated by this chapter that is performed without an issued permit, that is in conflict

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1 with an issued permit, or that does not fully comply with this chapter, shall be deemed a
2 violation of this chapter. A building or structure without the documentation of elevation
3 of the lowest floor, other required design certifications, or other evidence of compliance
4 required by this chapter or the Florida Building Code is presumed to be a violation until
5 such time as that documentation is provided.

6
7 **Sec. 9-42 41. - Authority.**

8
9 For development that is not within the scope of the Florida Building Code but that is
10 regulated by this chapter and that is determined to be a violation, the ~~f~~Floodplain
11 ~~a~~AAdministrator is authorized to serve notices of violation or stop work orders to owners
12 of the property involved, to the owner's agent, or to the person or persons performing
13 the work.

14
15 **Sec. 9-43 42. - Unlawful continuance.**

16
17 Any person who shall continue any work after having been served with a notice of
18 violation or a stop work order, except such work as that person is directed to perform to
19 remove or remedy a violation or unsafe condition, shall be subject to penalties as
20 prescribed by the Florida Building Code, as it may be amended from time to time.

21
22 **Sec. 9-44 43. - Term of validity.**

23
24 Any variance shall be valid for a period of one (1) year after the date of its issuance.
25 If the construction is not commenced within such time, the variance shall become void.
26 Lapse of a variance by passage of time shall not preclude subsequent application for a
27 variance.

28
29 **Sec. 9-45 44. - Records and reports.**

30
31 The ~~b~~Building ~~e~~Official shall maintain the records of all appeal actions and report
32 any variances to the federal emergency management agency upon request.

33
34 **Secs. 9-465—9-50. - Reserved.**

35
36 **ARTICLE II. - DEFINITIONS**

37
38 **DIVISION 1. - GENERAL**

39
40 **Sec. 9-51. - Scope.**

41
42 Unless otherwise expressly stated, the following words and terms shall, for the
43 purposes of this chapter, have the meanings shown in this section.

1 **Sec. 9-52. - Terms defined in the Florida Building Code.**

2
3 Some terms defined in this chapter are defined in the Florida Building Code. Where
4 terms are not defined in this chapter and are defined in the Florida Building Code, such
5 terms shall have the meanings ascribed to them in theat Florida Building eCode.

6
7 **Sec. 9-53. - Terms not defined.**

8
9 Where terms are not defined in this chapter or the Florida Building Code, such
10 terms shall have ordinarily accepted meanings such as the context implies.

11
12 **DIVISION 2. - DEFINITIONS**

13
14 Alteration of a watercourse shall means a dam, impoundment, channel relocation,
15 change in channel alignment, channelization, or change in cross-sectional area of the
16 channel or the channel capacity, or any other form of modification which may alter,
17 impede, retard or change the direction and/or velocity of the riverine flow of water
18 during conditions of the base flood.

19
20 Appeal shall means a request for a review of the ~~f~~Floodplain ~~a~~Administrator's
21 interpretation of any provision of this chapter ~~or a request for a variance.~~

22
23 ASCE 24 shall means a standard titled flood resistant design and construction that is
24 referenced by the Florida Building Code. ASCE 24 is developed and published by the
25 American Society of Civil Engineers, Reston, VA.

26
27 Base flood shall means a flood having a one-percent chance of being equaled or
28 exceeded in any given year. ~~[Also defined in FBC, B, Section 1612.2.]~~ The base flood is
29 commonly referred to as the "100-year flood" or the "one-percent-annual chance flood."

30
31 Base flood elevation shall means the elevation of the base flood, including wave
32 height, relative to the National Geodetic Vertical Datum (NGVD), North American
33 Vertical Datum (NAVD) or other datum specified on the flood insurance rate map
34 (FIRM). ~~[Also defined in FBC, B, Section 1612.2.]~~

35
36 Basement shall means the portion of a building having its floor subgrade (below
37 ground level) on all sides. ~~[Also defined in FBC, B, Section 1612.2.]~~

38
39 Design flood shall means the flood associated with the greater of the following two
40 (2) areas: ~~[Also defined in FBC, B, Section 1612.2.]~~

- 41 (1) Area with a floodplain subject to a one-percent or greater chance of flooding in
42 any year; or
43 (2) Area designated as a flood hazard area on the community's flood hazard map,
44 or otherwise legally designated.

1 *Design flood elevation* shall means the elevation of the "design flood," including
2 wave height, relative to the datum specified on the community's legally designated
3 flood hazard map. In areas designated as zone AO, the design flood elevation shall be
4 the elevation of the highest existing grade of the building's perimeter plus the depth
5 number (in feet) specified on the flood hazard map. In areas designated as zone AO
6 where the depth number is not specified on the map, the depth number shall be taken as
7 being equal to two (2) feet. [~~Also defined in FBC, B, Section 1612.2.~~]

8
9 *Development* shall means any man-made change to improved or unimproved real
10 estate, including but not limited to, buildings or other structures, tanks, temporary
11 structures, temporary or permanent storage of equipment or materials, mining, dredging,
12 filling, grading, paving, excavations, drilling operations or any other land disturbing
13 activities.

14
15 *Encroachment* shall means the placement of fill, excavation, buildings, permanent
16 structures or other development into a flood hazard area which may impede or alter the
17 flow capacity of riverine flood hazard areas.

18
19 *Existing building and existing structure* shall means any buildings and structures for
20 which the "start of construction" commenced before October 27, 1972. [~~Also defined in~~
21 ~~FBC, B, Section 1612.2.~~]

22
23 *Existing manufactured home park or subdivision* shall mean a manufactured home
24 park or subdivision for which the construction of facilities for servicing the lots on
25 which the manufactured homes are to be affixed (including, at a minimum, the
26 installation of utilities, the construction of streets, and either final site grading or the
27 pouring of concrete pads) is completed before October 27, 1972.

28
29 *Expansion to an existing manufactured home park or subdivision* shall mean the
30 preparation of additional sites by the construction of facilities for servicing the lots on
31 which the manufactured homes are to be affixed (including the installation of utilities,
32 the construction of streets, and either final site grading or the pouring of concrete pads).

33
34 *Federal Emergency Management Agency (FEMA)* shall means the federal agency
35 that, in addition to carrying out other functions, administers the National Flood
36 Insurance Program.

37
38 *Flood or flooding* shall means a general and temporary condition of partial or
39 complete inundation of normally dry land from: [~~Also defined in FBC, B, Section~~
40 ~~1612.2.~~]

- 41 (1) The overflow of inland or tidal waters.
42 (2) The unusual and rapid accumulation or runoff of surface waters from any
43 source.

44

1 *Flood damage-resistant materials* shall means any construction material capable of
2 withstanding direct and prolonged contact with floodwaters without sustaining any
3 damage that requires more than cosmetic repair. [~~Also defined in FBC, B, Section~~
4 ~~1612.2.~~]

5
6 *Flood hazard area* shall means the greater of the following two (2) areas: [~~Also~~
7 ~~defined in FBC, B, Section 1612.2.~~]

8 (1) The area within a floodplain subject to a one-percent or greater chance of
9 flooding in any year.

10 (2) The area designated as a flood hazard area on the community's flood hazard
11 map, or otherwise legally designated.

12
13 *Flood insurance rate map (FIRM)* shall means the official map of the community on
14 which the Federal Emergency Management Agency has delineated both special flood
15 hazard areas and the risk premium zones applicable to the community. [~~Also defined in~~
16 ~~FBC, B, Section 1612.2.~~]

17
18 *Flood insurance study (FIS)* shall means the official report provided by the Federal
19 Emergency Management Agency that contains the flood insurance rate map, the flood
20 boundary and floodway map (if applicable), the water surface elevations of the base
21 flood, and supporting technical data. [~~Also defined in FBC, B, Section 1612.2.~~]

22
23 *Floodplain ~~an~~ Administrator* shall means the office or position designated and
24 charged with the administration and enforcement of this chapter (may be referred to as
25 the floodplain manager).

26
27 *Floodplain development permit or approval* shall means an official document or
28 certificate issued by the community, or other evidence of approval or concurrence,
29 which authorizes performance of specific development activities that are located in
30 flood hazard areas and that are determined to be compliant with this chapter.

31
32 ~~*Floodway* means the channel of a river or other riverine watercourse and the~~
33 ~~adjacent land areas that must be reserved in order to discharge the base flood without~~
34 ~~cumulatively increasing the water surface elevation more than one (1) foot. [~~Also~~~~
35 ~~defined in FBC, B, Section 1612.2.]~~

36
37 ~~*Floodway encroachment analysis* means an engineering analysis of the impact that a~~
38 ~~proposed encroachment into a floodway is expected to have on the floodway boundaries~~
39 ~~and base flood elevations; the evaluation shall be prepared by a qualified Florida~~
40 ~~licensed engineer using standard engineering methods and models.~~

41
42 *Florida Building Code* shall means the family of codes adopted by the Florida
43 Building Commission, including: Florida Building Code, Building; Florida Building
44 Code, Residential; Florida Building Code, Existing Building; Florida Building Code,
45 Mechanical; Florida Building Code, Plumbing; Florida Building Code, Fuel Gas.

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1 Freeboard shall mean the additional height, usually expressed as a factor of safety
2 in feet, above a flood level for purposes of floodplain management. Freeboard tends to
3 compensate for many unknown factors, such as wave action, blockage of bridge or
4 culvert openings, and hydrological effect of urbanization of the watershed, which could
5 contribute to flood heights greater than the heights calculated for a selected frequency
6 flood and floodway conditions. All new construction, dry floodproofing projects and
7 substantial improvements to existing construction shall meet the minimum freeboard
8 requirement and may exceed the minimum freeboard requirement up to the maximum
9 freeboard without such height counting against the maximum height for construction in
10 the applicable zoning district.

11
12 Freeboard, minimum equals one (2) feet above the base flood elevation.

13 Freeboard, maximum equals four (4) feet above the base flood elevation.

14
15 Functionally dependent use shall means a use which cannot perform its intended
16 purpose unless it is located or carried out in close proximity to water, including only
17 docking facilities, port facilities that are necessary for the loading and unloading of
18 cargo or passengers, and ship building and ship repair facilities; the term does not
19 include long-term storage or related manufacturing facilities.

20
21 Hardship as related to variances from this ordinance shall mean the exceptional
22 difficulty associated with the land that would result from a failure to grant the requested
23 variance. The City of Wilton Manors requires that the variance is exceptional, unusual,
24 and peculiar to the property involved. Mere economic or financial handicaps, personal
25 preferences, or the disapproval of one's neighbors cannot, as a rule, qualify as an
26 exceptional hardship. All of these matters can be resolved through other means without
27 granting a variance, even if the alternative is more expensive, or requires the property
28 owner to build elsewhere or put the parcel to a different use than originally intended.

29
30 Highest adjacent grade shall means the highest natural elevation of the ground
31 surface prior to construction next to the proposed walls or foundation of a structure.

32
33 Historic structure shall means any structure that is determined eligible for the
34 exception to the flood hazard area requirements of the Florida Building Code, Existing
35 Building, Chapter 12 ~~11~~ Historic Buildings.

36
37 Letter of map change (LOMC) shall means an official determination issued by
38 FEMA that amends or revises an effective flood insurance rate map or flood insurance
39 study. Letters of map change include:

40 Letter of map amendment (LOMA) ~~shall mean~~ shall mean ~~An~~ amendment based on
41 technical data showing that a property was incorrectly included in a designated
42 special flood hazard area. A LOMA amends the current effective flood insurance
43 rate map and establishes that a specific property, portion of a property, or structure
44 is not located in a special flood hazard area.

1 *Letter of map revision (LOMR)* ~~shall mean~~ Aa revision based on technical
2 data that may show changes to flood zones, flood elevations, special flood hazard
3 area boundaries and floodway delineations, and other planimetric features.

4 *Letter of map revision based on fill (LOMR-F)* ~~shall mean~~ Aa determination
5 that a structure or parcel of land has been elevated by fill above the base flood
6 elevation and is, therefore, no longer located within the special flood hazard area. In
7 order to qualify for this determination, the fill must have been permitted and placed
8 in accordance with the community's floodplain management regulations.

9 *Conditional letter of map revision (CLOMR)* ~~shall mean~~ Aa formal review and
10 comment as to whether a proposed flood protection project or other project complies
11 with the minimum NFIP requirements for such projects with respect to delineation
12 of special flood hazard areas. A CLOMR does not revise the effective flood
13 insurance rate map or flood insurance study; upon submission and approval of
14 certified as-built documentation, a letter of map revision may be issued by FEMA to
15 revise the effective FIRM.

16
17 *Light-duty truck* shall means as defined in 40 C.F.R. 86.082-2, any motor vehicle
18 rated at eight thousand five hundred (8,500) pounds gross vehicular weight rating or
19 less which has a vehicular curb weight of six thousand (6,000) pounds or less and which
20 has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

- 21 (1) Designed primarily for purposes of transportation of property or is a derivation
22 of such a vehicle;
23 (2) Designed primarily for transportation of persons and has a capacity of more
24 than twelve (12) persons; or
25 (3) Available with special features enabling off-street or off-highway operation
26 and use.

27
28 *Lowest floor* shall means the lowest floor of the lowest enclosed area of a building
29 or structure, including basement, but excluding any unfinished or flood-resistant
30 enclosure, other than a basement, usable solely for vehicle parking, building access or
31 limited storage provided that such enclosure is not built so as to render the structure in
32 violation of the non-elevation requirements of the Florida Building Code or ASCE 24.
33 [~~Also defined in FBC, B, Section 1612.2.~~]

34
35 *Manufactured home* shall means a structure, transportable in one (1) or more
36 sections, which is eight (8) feet or more in width and greater than four hundred (400)
37 square feet, and which is built on a permanent, integral chassis and is designed for use
38 with or without a permanent foundation when attached to the required utilities. The term
39 "manufactured home" does not include a "recreational vehicle" or "park trailer." [Also
40 defined in 15C-1.0101, F.A.C.]

41
42 *Manufactured home park or subdivision* ~~shall~~ means a parcel (or contiguous
43 parcels) of land divided into two (2) or more manufactured home lots for rent or sale.
44

1 *Market value* shall means the price at which a property will change hands between a
2 willing buyer and a willing seller, neither party being under compulsion to buy or sell
3 and both having reasonable knowledge of relevant facts. As used in this chapter, the
4 term refers to the market value of buildings and structures, excluding the land and other
5 improvements on the parcel. Market value may be established by a qualified
6 independent appraiser, actual cash value (replacement cost depreciated for age and
7 quality of construction), or tax assessment value adjusted to approximate market value
8 by a factor provided by the property appraiser.

9
10 *New construction* shall means for the purposes of administration of this chapter and
11 the flood resistant construction requirements of the Florida Building Code, structures
12 for which the "start of construction" commenced on or after October 27, 1972, and
13 includes any subsequent improvements to such structures.

14
15 *New manufactured home park or subdivision* shall means a manufactured home
16 park or subdivision for which the construction of facilities for servicing the lots on
17 which the manufactured homes are to be affixed (including at a minimum, the
18 installation of utilities, the construction of streets, and either final site grading or the
19 pouring of concrete pads) is completed on or after October 27, 1972.

20
21 *Park trailer* shall means a transportable unit which has a body width not exceeding
22 fourteen (14) feet and which is built on a single chassis and is designed to provide
23 seasonal or temporary living quarters when connected to utilities necessary for
24 operation of installed fixtures and appliances. [Defined in F.S. § 320.01.]

25 *Recreational vehicle* shall means a vehicle, including a park trailer, which is: [See in
26 F.S. § 320.01.]

- 27 (1) Built on a single chassis;
28 (2) Four hundred (400) square feet or less when measured at the largest horizontal
29 projection;
30 (3) Designed to be self-propelled or permanently towable by a light-duty truck;
31 and
32 (4) Designed primarily not for use as a permanent dwelling but as temporary
33 living quarters for recreational, camping, travel, or seasonal use.

34
35 *Special flood hazard area* shall means an area in the floodplain subject to a one (1)
36 percent or greater chance of flooding in any given year. Special flood hazard areas are
37 shown on FIRMS as zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V. [~~Also~~
38 ~~defined in FBC, B, Section 1612.2.~~]

39
40 *Start of construction* shall means the date of issuance for new construction and
41 substantial improvements to existing structures, provided the actual start of
42 construction, repair, reconstruction, rehabilitation, addition, placement, or other
43 improvement is within one hundred eighty (180) days of the date of the issuance. The
44 actual start of construction means either the first placement of permanent construction

1 of a building (including a manufactured home) on a site, such as the pouring of slab or
2 footings, the installation of piles, the construction of columns.

3 Permanent construction does not include land preparation (such as clearing, grading,
4 or filling), the installation of streets or walkways, excavation for a basement, footings,
5 piers, or foundations, the erection of temporary forms or the installation of accessory
6 buildings such as garages or sheds not occupied as dwelling units or not part of the main
7 buildings. For a substantial improvement, the actual "start of construction" means the
8 first alteration of any wall, ceiling, floor or other structural part of a building, whether
9 or not that alteration affects the external dimensions of the building. ~~{Also defined in~~
10 ~~FBC, B Section 1612.2.}~~

11
12 *Substantial damage shall* means damage of any origin sustained by a building or
13 structure whereby the cost of restoring the building or structure to its before-damaged
14 condition would equal or exceed fifty (50) percent of the market value of the building or
15 structure before the damage occurred. ~~{Also defined in FBC, B Section 1612.2.}~~

16
17 *Substantial improvement shall* means any combination of repair, reconstruction,
18 rehabilitation, alteration, addition, or other improvement of a building or structure
19 taking place during a five (5) year period, the cumulative cost of which equals or
20 exceeds fifty (50) percent of the market value of the building or structure before the
21 improvement or repair is started. For each building or structure, the five (5) -year
22 period begins on the date of the first improvement or repair of that building or structure
23 subsequent to May 26, 2020. If the structure has incurred "substantial damage," any
24 repairs are considered substantial improvement regardless of the actual repair work
25 performed. The term does not, however, include either: ~~{Also defined in FBC, B,~~
26 ~~Section 1612.2.}~~

- 27 | (1) Any project for improvement of a building required to correct the existing
28 health, sanitary, or safety code violations identified by the Building Official,
29 prior to the application for permit improvements or repairs and that are the
30 minimum necessary to assure safe living conditions.
31 | (2) Any alteration of a historic structure provided the alteration will not preclude
32 the structure's continued designation as a historic structure. ~~{See instructions~~
33 ~~and notes.}~~

34
35 *Variance shall* means a grant of relief from the requirements of this chapter, or the
36 flood resistant construction requirements of the Florida Building Code, based upon a
37 hardship, which permits construction in a manner that would not otherwise be permitted
38 by this chapter or the Florida Building Code.

39
40 *Watercourse shall* means a river, creek, stream, channel or other topographic feature
41 in, on, through, or over which water flows at least periodically.

1 **ARTICLE III. - FLOOD RESISTANT DEVELOPMENT**

2
3 **DIVISION 1. - BUILDINGS AND STRUCTURES**

4
5 **Sec. 9-54. - Design and construction of buildings, structures and facilities exempt**
6 **from the Florida Building Code.**

7
8 Pursuant to section 9-23.1 of this chapter, buildings, structures, and facilities that are
9 exempt from the Florida Building Code, including substantial improvement or repair of
10 substantial damage of such buildings, structures and facilities, shall be designed and
11 constructed in accordance with the flood load and flood resistant construction
12 requirements of ASCE 24. Structures exempt from the Florida Building Code that are
13 not walled and roofed buildings shall comply with the requirements of ~~a~~Article III,
14 ~~d~~Division 7 of this chapter.

15
16 **Sec. 9-55. — Requirements for Specific Methods of Construction**

17
18 The required specific methods of construction, in addition to the Broward County
19 Administrative Provisions for the Florida Building Code, include the following:

- 20
21 (1) Additional elevation (freeboard) in the Flood Hazard Areas. All new
22 construction and substantial improvement of buildings in the Flood Hazard
23 Areas subject to the Florida Building Code shall be elevated or dry
24 floodproofed (nonresidential only) to or above the highest of the following:
25 a. Six (6.0) feet above the North American Vertical Datum.
26 b. The minimum freeboard requirement. Building elevations may exceed the
27 minimum freeboard requirement up to the maximum freeboard without
28 such height counting against the maximum height for construction in the
29 applicable zoning district.
30 Freeboard, minimum equals one (2) feet above the base flood elevation.
31 Freeboard, maximum equals four (4) feet above the base flood elevation.
32
33 (2) Elevation outside of the Flood Hazard Area. The finished floor of all new
34 buildings located outside of the Flood Hazard Area shall at a minimum be at or
35 above the highest adjacent grade plus six (6) inches.
36
37 (3) Limitations on enclosed areas below elevated buildings. For buildings in the
38 Flood Hazard Area, the following limitations apply to enclosed areas below
39 elevated buildings:
40 a. Access shall be the minimum necessary to allow for only parking of
41 vehicles (garage door), limited storage of maintenance equipment in
42 connection with the Premises (standard exterior door), or entry to the living
43 area (stairway or elevator).
44 b. The interior portion shall not be temperature controlled, partitioned, or
45 finished into separate rooms. The limitation on partitions does not apply to

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1 partitions required by the fire code or to load bearing walls interior to
2 perimeter wall (crawlspace) foundations.

3
4 (4) Substantial Improvement. In addition to the Florida Building Code, Existing
5 Building provisions, the definition for the term "Substantial Improvement"
6 shall be as follows:

7
8 **Substantial Improvement.** Any combination of repair, reconstruction,
9 rehabilitation, alteration, addition, or other improvement of a building or
10 structure taking place during a five (5) year period, the cumulative cost of
11 which equals or exceeds fifty (50) percent of the market value of the
12 building or structure before the improvement or repair is started. For each
13 building or structure, the five-year period begins on the date of the first
14 improvement or repair of that building or structure subsequent to May 26,
15 2020. If the structure has incurred "substantial damage," any repairs are
16 considered substantial improvement regardless of the actual repair work
17 performed. The term does not, however, include either:

- 18 a. Any project for improvement of a building required to correct existing
19 health, sanitary, or safety code violations identified by the building
20 official and that are the minimum necessary to assure safe living
21 conditions.
22 b. Any alteration of a historic structure provided the alteration will not
23 preclude the structure's continued designation as a historic structure.

24
25 (5) Design by registered design professional. Construction drawings for dwellings
26 in Flood Hazard Areas shall include documentation that is prepared and sealed
27 by a registered design professional that the design and methods of construction
28 account for site-specific flood loads.

29
30 **DIVISION 2. - SUBDIVISIONS**

31
32 **Sec. 9-55 56. - Minimum requirements.**

33 Subdivision proposals, including proposals for manufactured home parks and
34 subdivisions, shall be reviewed to determine that:

- 35
36 (1) Such proposals are consistent with the need to minimize flood damage and will
37 be reasonably safe from flooding;
38 (2) All public utilities and facilities such as sewer, gas, electric, communications,
39 and water systems are located and constructed to minimize or eliminate flood
40 damage; and
41 (3) Adequate drainage is provided to reduce exposure to flood hazards; in zones
42 AH, AE, X Shaded and AO, adequate drainage paths shall be provided to
43 guide floodwaters around and away from proposed structures.

1 **Sec. 9-56 57. - Subdivision plats.**

2
3 Where any portion of proposed subdivisions, including proposals for manufactured
4 home parks and subdivisions, lies within a flood hazard area, the following shall be
5 required:

- 6
7 (1) Delineation of flood hazard areas, ~~floodway boundaries~~ and flood zones, and
8 design flood elevations, as appropriate, shall be shown on preliminary plats;
9 and
10 ~~(2) Where the subdivision has more than fifty (50) lots or is larger than five (5)~~
11 ~~acres and base flood elevations are not included on the FIRM, the base flood~~
12 ~~elevations determined in accordance with section 9-30(1) of this chapter; and~~
13 (32) Compliance with the site improvement and utilities requirements of ~~a~~Article
14 III, dDivision 3 of this chapter.
15

16 **DIVISION 3. - SITE IMPROVEMENTS, UTILITIES AND LIMITATIONS**

17
18 **Sec. 9-57 58. - Minimum requirements.**

19
20 All proposed new development shall be reviewed to determine that:

- 21
22 (1) Such proposals are consistent with the need to minimize flood damage and will
23 be reasonably safe from flooding;
24 (2) All public utilities and facilities such as sewer, gas, electric, communications,
25 and water systems are located and constructed to minimize or eliminate flood
26 damage; and
27 (3) Adequate drainage is provided to reduce exposure to flood hazards; in zones
28 AH, AE, X Shaded and AO, adequate drainage paths shall be provided to
29 guide floodwaters around and away from proposed structures.
30

31 **Sec. 9-58 59. - Sanitary sewage facilities.**

32
33 All new and replacement sanitary sewage facilities, private sewage treatment plants
34 (including all pumping stations and collector systems), and on-site waste disposal
35 systems shall be designed in accordance with the standards for onsite sewage treatment
36 and disposal systems in Chapter 64E-6, F.A.C. and ASCE 24 Chapter 7 to minimize or
37 eliminate infiltration of floodwaters into the facilities and discharge from the facilities
38 into flood waters, and impairment of the facilities and systems.
39

40 **Sec. 9-59 60. - Water supply facilities.**

41
42 All new and replacement water supply facilities shall be designed in accordance
43 with the water well construction standards in Chapter 62-532.500, F.A.C. and ASCE 24
44 Chapter 7 to minimize or eliminate infiltration of floodwaters into the systems.
45

1 **Sec. 9-60. - ~~Limitations on sites in regulatory floodways.~~**

2
3 ~~No development, including but not limited to site improvements, and land~~
4 ~~disturbing activity involving fill or regrading, shall be authorized in the regulatory~~
5 ~~floodway unless the floodway encroachment analysis required in section 9-31(1) of this~~
6 ~~chapter demonstrates that the proposed development or land disturbing activity will not~~
7 ~~result in any increase in the base flood elevation.~~

8
9 **Sec. 9-61. - Limitations on placement of fill.**

10
11 Subject to the limitations of this chapter, fill shall be designed to be stable under
12 conditions of flooding including rapid rise and rapid drawdown of floodwaters,
13 prolonged inundation, and protection against flood-related erosion and scour. In
14 addition to these requirements, if intended to support buildings and structures (~~zone A~~
15 ~~only~~), fill shall comply with the requirements of the Florida Building Code.

16
17 **DIVISION 4. - MANUFACTURED HOMES**

18
19 **Sec. 9-62. - General.**

20
21 All manufactured homes installed in flood hazard areas shall be installed by an
22 installer that is licensed pursuant to F.S. § 320.8249, and shall comply with the
23 requirements of Chapter 15C-1, F.A.C. and the requirements of this chapter.

24
25 **Sec. 9-63. - Foundations.**

26
27 All new manufactured homes and replacement manufactured homes installed in
28 flood hazard areas shall be installed on permanent, reinforced foundations that are
29 designed in accordance with the foundation requirements of the Florida Building Code
30 Residential Section R322.2 and this chapter.

31
32 **Sec. 9-64. - Anchoring.**

33
34 All new manufactured homes and replacement manufactured homes shall be
35 installed using methods and practices which minimize flood damage and shall be
36 securely anchored to an adequately anchored foundation system to resist flotation,
37 collapse or lateral movement. Methods of anchoring include, but are not limited to, use
38 of over-the-top or frame ties to ground anchors. This anchoring requirement is in
39 addition to applicable state and local anchoring requirements for wind resistance.

40
41 **Sec. 9-65. - Elevation.**

42
43 Manufactured homes that are placed, replaced, or substantially improved shall
44 comply with section 9-65.1 or 9-65.2 of this chapter, as applicable.

1 **Sec. 9-65.1. - General elevation requirement.**

2 Unless subject to the requirements of section 9-65.2 of this chapter, all
3 manufactured homes that are placed, replaced, or substantially improved on sites
4 located: (a) outside of a manufactured home park or subdivision; (b) in a new
5 manufactured home park or subdivision; (c) in an expansion to an existing
6 manufactured home park or subdivision; or (d) in an existing manufactured home park
7 or subdivision upon which a manufactured home has incurred "substantial damage" as
8 the result of a flood, shall be elevated such that the bottom of the frame is at or above
9 the elevation required, as applicable to the flood hazard area, in the Florida Building
10 Code, Residential Section R322.2 (zone A).

11
12 **Sec. 9-65.2. - Elevation requirement for certain existing manufactured home parks**
13 **and subdivisions.**

14
15 Manufactured homes that are not subject to section 9-65.1 of this chapter, including
16 manufactured homes that are placed, replaced, or substantially improved on sites
17 located in an existing manufactured home park or subdivision, unless on a site where
18 substantial damage as result of flooding has occurred, shall be elevated such that either
19 the:

- 20 (1) Bottom of the frame of the manufactured home is at or above the elevation
21 required in the Florida Building Code, Residential Section R322.2 (zone A); or
22 (2) Bottom of the frame is supported by reinforced piers or other foundation
23 elements of at least equivalent strength that are not less than thirty-six (36)
24 inches in height above grade.

25
26 **Sec. 9-66. - Enclosures.**

27
28 Enclosed areas below elevated manufactured homes shall comply with the
29 requirements of the Florida Building Code, Residential Section R322 for such enclosed
30 areas.

31
32 **Sec. 9-67. - Utility equipment.**

33
34 Utility equipment that serves manufactured homes, including electric, heating,
35 ventilation, plumbing, and air conditioning equipment and other service facilities, shall
36 comply with the requirements of the Florida Building Code, Residential Section R322.

37
38 **DIVISION 5. - RECREATIONAL VEHICLES AND PARK TRAILERS**

39
40 **Sec. 9-68. - Temporary placement.**

41
42 Recreational vehicles and park trailers placed temporarily in flood hazard areas
43 shall:

- 44 (1) Be on the site for fewer than one hundred eighty (180) consecutive days; or

1 (2) Be fully licensed and ready for highway use, which means the recreational
2 vehicle or park model is on wheels or jacking system, is attached to the site
3 only by quick-disconnect type utilities and security devices, and has no
4 permanent attachments such as additions, rooms, stairs, decks and porches.
5

6 **Sec. 9-69. - Permanent placement.**
7

8 Permanent placement of recreational vehicles and park trailers is not permitted in
9 flood hazard areas in the City of Wilton Manors.

10 ~~Recreational vehicles and park trailers that do not meet the limitations in section 9-~~
11 ~~68 of this chapter for temporary placement shall meet the requirements of article III,~~
12 ~~division 4 of this chapter for manufactured homes.~~
13

14 **DIVISION 6. – TANKS**
15

16 **Sec. 9-70. - Underground tanks.**
17

18 Underground tanks in flood hazard areas shall be anchored to prevent flotation,
19 collapse or lateral movement resulting from hydrodynamic and hydrostatic loads during
20 conditions of the design flood, including the effects of buoyancy assuming the tank is
21 empty.
22

23 **Sec. 9-71. - Above-ground tanks, not elevated.**
24

25 Above-ground tanks that do not meet the elevation requirements of section 9-72 of
26 this chapter shall be permitted in flood hazard areas provided the tanks are anchored or
27 otherwise designed and constructed to prevent flotation, collapse or lateral movement
28 resulting from hydrodynamic and hydrostatic loads during conditions of the design
29 flood, including the effects of buoyancy assuming the tank is empty and the effects of
30 flood-borne debris.
31

32 **Sec. 9-72. - Above-ground tanks, elevated.**
33

34 Above-ground tanks in flood hazard areas shall be attached to, and elevated to, or
35 above the base design flood elevation on a supporting structure that is designed to
36 prevent flotation, collapse or lateral movement during conditions of the design flood.
37 Tank-supporting structures shall meet the foundation requirements of the applicable
38 flood hazard area.
39

40 **Sec. 9-73. - Tank inlets and vents.**
41

42 Tank inlets, fill openings, outlets and vents shall be:
43

- 1 (1) At or above the base design flood elevation or fitted with covers designed to
2 prevent the inflow of floodwater or outflow of the contents of the tanks during
3 conditions of the design flood; and
- 4 (2) Anchored to prevent lateral movement resulting from hydrodynamic and
5 hydrostatic loads, including the effects of buoyancy, during conditions of the
6 design flood.

7
8 **DIVISION 7. - OTHER DEVELOPMENT**

9
10 **Sec. 9-74. - General requirements for other development.**

11
12 All development, including man-made changes to improved or unimproved real
13 estate for which specific provisions are not specified in this chapter or the Florida
14 Building Code, shall:

- 15
16 (1) Be located and constructed to minimize flood damage;
- 17 ~~(2) Meet the limitations of section 9-60 of this chapter if located in a regulated~~
18 ~~floodway;~~
- 19 ~~(3)~~ (2) Be anchored to prevent flotation, collapse or lateral movement resulting from
20 hydrostatic loads, including the effects of buoyancy, during conditions of the
21 design flood;
- 22 ~~(4)~~ (3) Be constructed of flood damage-resistant materials; and
- 23 ~~(5)~~ (4) Have mechanical, plumbing, and electrical systems above the base design
24 flood elevation, except that minimum electric service required to address life
25 safety and electric code requirements is permitted below the base design flood
26 elevation provided it conforms to the provisions of the electrical part of
27 building code for wet locations.

28
29 **~~Sec. 9-75. - Fences in regulated floodways.~~**

30
31 ~~Fences in regulated floodways that have the potential to block the passage of~~
32 ~~floodwaters, such as stockade fences and wire mesh fences, shall meet the limitations of~~
33 ~~section 9-60 of this chapter.~~

34
35 **~~Sec. 9-76. - Retaining walls, sidewalks and driveways in regulated floodways.~~**

36
37 ~~Retaining walls and sidewalks and driveways that involve the placement of fill in~~
38 ~~regulated floodways shall meet the limitations of section 9-60 of this chapter.~~

39
40 **~~Sec. 9-77. - Roads and watercourse crossings in regulated floodways.~~**

41
42 ~~Roads and watercourse crossings, including roads, bridges, culverts, low water~~
43 ~~crossings and similar means for vehicles or pedestrians to travel from one (1) side of a~~
44 ~~watercourse to the other side, that encroach into regulated floodways shall meet the~~
45 ~~limitations of section 9-60 of this chapter. Alteration of a watercourse that is part of a~~

1 ~~road or watercourse crossing shall meet the requirements of section 9-31(3) of this~~
2 ~~chapter.~~

3
4 **Section 3: Codification.** It is the intention of the City Commission
5 of the City of Wilton Manors, and it is hereby ordained that the provisions of this
6 Ordinance shall become and be made a part of the Code and Ordinances of the City of
7 Wilton Manors, Florida, and that Sections of this Ordinance may be renumbered, re-
8 lettered and the word “Ordinance” may be changed to “Section,” “Article,” or such
9 other word or phrase in order to accomplish such intention.

10 **Section 4: Severability.** If any clause, section, or other part of this
11 Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or
12 invalid, such unconstitutional or invalid part shall be considered as eliminated and in no
13 way affecting the validity of the other provisions of this Ordinance.

14 **Section 5: Conflicts.** That all Ordinances or parts of Ordinances,
15 Resolutions, or parts of Resolutions in conflict herewith, be and the same are repealed
16 to the extent of such conflict.

17 **Section 6. Effective Date.** That this Ordinance shall take effect
18 immediately upon adoption.

19
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30

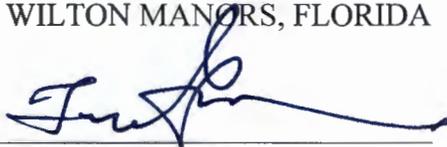
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1 PASSED ON FIRST READING BY THE CITY COMMISSION OF THE CITY OF
2 WILTON MANORS, FLORIDA, THIS 12th DAY OF May 2020.

3
4 PASSED AND ADOPTED ON SECOND AND FINAL READING BY THE CITY
5 COMMISSION OF THE CITY OF WILTON MANORS, FLORIDA THIS 26th
6 DAY OF May, 2020.

7
8
9 CITY OF WILTON MANORS, FLORIDA

10
11
12 By: 
13 TOM GREEN, VICE MAYOR

14
15
16
17 attest:

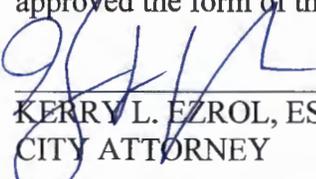
RECORD OF COMMISSION VOTE: 1st
Reading

18
19
20
21 
22 FAITH LOMBARDO
23 CITY CLERK

VICE MAYOR GREEN
COMMISSIONER CARSON
COMMISSIONER RESNICK
COMMISSIONER ROLLI



24
25
26 I HEREBY CERTIFY that I have
27 approved the form of this Ordinance.

28
29
30 
31 KERRY L. EZROL, ESQ.
32 CITY ATTORNEY

33
34 RECORD OF COMMISSION VOTE:
35 2ND
36 Reading

37
38 VICE MAYOR GREEN
39 COMMISSIONER CARSON
40 COMMISSIONER RESNICK
41 COMMISSIONER ROLLI

