

ORDINANCE NO. 2017-11

AN ORDINANCE ADOPTED BY THE CITY COUNCIL OF THE CITY OF GREENACRES, FLORIDA, AMENDING THE CITY OF GREENACRES CODE OF ORDINANCES, CHAPTER 4, BUILDING REGULATIONS, ARTICLE III, FLOODPLAIN MANAGEMENT; TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR 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 Greenacres participates in the National Flood Insurance program and the City Council of the City of Greenacres 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 Council of the City of Greenacres has determined that it is in the public interest to amend Chapter 4, Article III Floodplain Management to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF GREENACRES, FLORIDA, THAT THE FOLLOWING AMENDMENT IS HEREBY ADOPTED:

Section 1. Amend.

Chapter 4, Building Regulations, Article III Floodplain Management, Sec. 4-41.3 Basis for establishing flood hazard areas is hereby amended as follows:

Sec.4-41.3 Basis for establishing flood hazard areas.

The Flood Insurance Study ~~and Wave Height Analysis~~ for Palm Beach County, Florida ~~and Unincorporated~~ Incorporated Areas dated ~~April 15, 1982~~ October 5, 2017, and the Flood Insurance Study for Palm Beach County, Florida ~~Unincorporated~~ Areas dated ~~August 1978~~, 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 Office of the City Clerk.

Section 2. Applicability.

For the purposes of jurisdictional applicability, this ordinance shall apply within the City of Greenacres. This ordinance shall apply to all applications for development, including building permit applications and subdivision proposals, submitted on or after the effective date of this ordinance.

Section 3. Repeal of Conflicting Ordinances.

All ordinances or parts thereof or parts of the code conflicting or inconsistent with the provisions of this ordinance are hereby repealed.

Section 4. Severability.

If any section, part of a section, paragraph, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holdings of invalidity shall not affect the remaining portion of this Ordinance and it shall be construed to have been the legislative intent to pass the Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts shall be deemed to be held valid as if part of parts had not

been included therein, or if this Ordinance or any of the provisions thereof shall be held inapplicable to any person, group of persons, property, kind of property, circumstances, or set of circumstances, such holdings shall not affect the applicability thereof to any other person, property or circumstances.

Section 5. Inclusion in Code.

It is the intent of the City Council that the provisions of this ordinance shall become and be made a part of the City of Greenacres' Code of Ordinances, and that the sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," "regulation," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

The provisions of this Ordinance shall become effective October 5, 2017.


Passed on the first reading this 17th day of July, 2017.

PASSED AND ADOPTED on the second reading this 7th day of August,
2017.

Voted



Joel Flores
Mayor

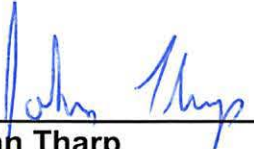


Paula Bousquet
Deputy Mayor, District V

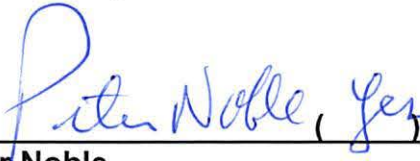
Attest:



Joanna Cunningham
City Clerk



John Tharp
Councilman, District I




Peter Noble
Councilman, District II





Judith Dugo
Councilwoman, District III



Anderson Thelusme
Councilman, District IV

Approved as to Form and Legal Sufficiency:



James D. Stokes
City Attorney