

## ORDINANCE NO. 287

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, AMENDING CHAPTER 26. LAND DEVELOPMENT. AT ARTICLE VI. FLOODPLAIN MANAGEMENT. AT SEC. 26-511. BY REPEALING SUBSECTION 102.3 AND READOPTING IT TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR APPLICABILITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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 Town of South Palm Beach was accepted for participation in the National Flood Insurance Program on May 15, 1978, and the Town Council of the Town of South Palm Beach 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 Town Council of the Town of South Palm Beach has determined that it is in the public interest to amend Subsection 102.3 of Sec.26-511. in order to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SOUTH PALM BEACH, FLORIDA, THAT:

Section 1: Chapter 26. Land Development. of the Code of Ordinances of the Town of South Palm Beach is hereby amended at Article VI. Floodplain Management. at Section 26-511. Floodplain management ordinance. by repealing Subsection 102.3. and readopting it as amended; providing that Subsection 102.3 shall hereafter read as follows:

**102.3 Basis for establishing flood hazard areas.** The Flood Insurance Study, ~~Wave-Height Analysis, for Palm Beach County, Florida and Unincorporated Areas the Town of South Palm Beach dated March 31, 1982~~ October 5, 2017, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Town Clerk at Town Hall located at 3577 South Ocean Boulevard, South Palm Beach, Florida 33480. The initial identification in the Flood Hazard Boundary Map was dated January 16, 1974, as revised on September 26, 1975.

**Section 2-** For the purposes of jurisdictional applicability, this ordinance shall apply in the Town of South Palm Beach. 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-** All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

**Section 4-** Should any Section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or any part thereof other than the part to be declared invalid.

**Section 5-** Specific authority is hereby given to codify this Ordinance.

**Section 6-** The Town Clerk is directed to transmit a copy of this Ordinance to provide a digital copy of the executed ordinance to the Technical Assistance group of the Division of Emergency Management at [flood.ordinance@em.myflorida.com](mailto:flood.ordinance@em.myflorida.com).

**Section 7-** This Ordinance shall take effect immediately upon passage.

Council Member Culbertson, offered the foregoing Ordinance, and moved its adoption. The motion was seconded by Council Member Jordan, and upon being put to a vote, the vote was as follows:

	AYE	NAY	ABSENT
Mayor Bernice Fischer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vice Mayor Robert Gottlieb	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Stella Jordan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Elvadianne Culbertson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Council Member Lucille Flagello	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Council of the Town of South Palm Beach, Florida, duly passed and adopted this 26<sup>th</sup> day of September, 2017.

**TOWN OF SOUTH PALM BEACH, FLORIDA**

BY: Bernice Fischer  
BERNICE "BONNIE" FISCHER, MAYOR

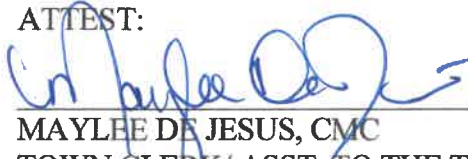
Ordinance 287

First Reading: June, 2017

Second Reading: September 25, 2017

SEAL

ATTEST:



MAYLEE DE JESUS, CMC  
TOWN CLERK/ ASST. TO THE TOWN MANAGER



APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



BRADLEY W. BIGGS, TOWN ATTORNEY



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Town Of Manalapan  
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Town Of Lantana  
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