

ORDINANCE NO. 16-5188

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA ADOPTING AMENDMENTS TO ORDINANCE NOS. 12-5006, 13-5076 AND 15-5120, THE FLOODPLAIN MANAGEMENT ORDINANCE; MAKING MODIFICATIONS TO THE FLOODPLAIN MANAGEMENT ORDINANCE SO AS TO INCORPORATE THE FLOOD INSURANCE STUDY FOR SARASOTA COUNTY, FLORIDA AND INCORPORATED AREAS DATED NOVEMBER 4, 2016; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF IF DECLARED INVALID; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on September 4, 2012, the City Commission passed on second reading and finally adopted Ordinance No. 12-5006 which adopted a new Floodplain Management Ordinance, adopted flood hazard maps, designated a floodplain administrator, adopted procedures and criteria for development in flood hazard areas, and adopted local administrative amendments to the Florida Building Code; and

WHEREAS, on January 6, 2014, the City Commission passed on second reading and finally adopted Ordinance No. 13-5076 which made modifications to the Local Administrative Amendments to the Florida Building Code within the Floodplain Management Ordinance; and

WHEREAS, on May 4, 2015 the City Commission passed on second reading and finally adopted Ordinance No. 15-5120 which modified the floodplain management Ordinance so as to provide for a Declaration of Land Restriction (Non-Conversion Agreement); and

WHEREAS, the City of Sarasota was accepted for participation in the National Flood Insurance Program on July 30, 1971, and the City Commission of the City 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 issued the Flood Insurance Study for Sarasota County, Florida and Incorporated Municipalities, with an effective date of November 4, 2016 which replaces the Flood Insurance Study for the City of Sarasota, Florida dated August 15, 1983; and

WHEREAS, the State of Florida Department of Emergency Management, upon review of Ordinance Nos. 12-5006, 13-5076 and 15-5120, has recommended an amendment to the City of Sarasota's Floodplain Management Ordinance so as to incorporate the Flood Insurance Study for Sarasota County, Florida and Incorporated Areas dated November 4, 2016; and

WHEREAS, City staff has brought forward this Ordinance No. 16-5188 seeking to incorporate the Flood Insurance Study for Sarasota County, Florida and Incorporated Areas dated November 4, 2016; and

WHEREAS, the City Commission of the City of Sarasota has determined that the amendments to the Floodplain Management Ordinance set forth herein are in furtherance of the public health, safety and welfare.

NOW THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

1. Ordinance Nos. 12-5006, 13-5076 and 15-5120, the Floodplain Management Ordinance of the City of Sarasota, is hereby amended as follows:

CHAPTER 1 ADMINISTRATION

* * *

SECTION 102 APPLICABILITY

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102.3 Basis for establishing flood hazard areas. The Flood Insurance Study for Sarasota County, Florida and Incorporated Areas dated November 4, 2016, ~~the City of Sarasota, Florida, Sarasota County dated August 15, 1983~~, 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 Department of Neighborhood and Development Services, City of Sarasota, Florida, 1565 First Street, Annex 2nd Floor, Sarasota, Florida 34236.

* * *

2. Except as expressly set forth herein as amendments, all of the terms, covenants and conditions set forth within Ordinance Nos. 12-5006, 13-5076 and 15-5120 are hereby ratified and confirmed by the City Commission and all of such terms shall remain in full force and effect.

3. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

4. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment of a court of competent jurisdiction, such unconstitutionality or invalidity shall not effect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

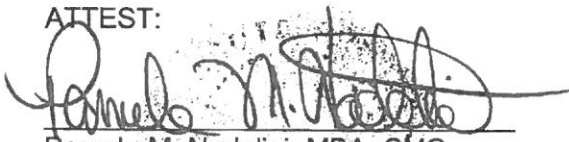
5. This Ordinance shall be effective upon second reading.

PASSED on first reading by title only, after posting on the bulletin board at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 6th day of September, 2016.

PASSED on second reading and finally adopted this 19th day of September, 2016.


Willie Charles Shaw, Mayor

ATTEST:


Pamela M. Nadalini, MBA, CMC
City Auditor and Clerk

Yes Mayor Willie Charles Shaw
Yes Vice Mayor Shelli Freeland Eddie
Yes Commissioner Liz Alpert
Yes Commissioner Suzanne Atwell
Yes Commissioner Susan Chapman