

ORDINANCE NO. 04-2017

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF JUPITER INLET COLONY, FLORIDA AMENDING CHAPTER 7 FLOOD DAMAGE PREVENTION, ARTICLE I. ADMINISTRATION, SECTION 7-2(C) BASIS FOR ESTABLISHING FLOOD HAZARD AREAS, OF ITS CODE OF ORDINANCES TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR APPLICABILITY; PROVIDING AUTHORITY TO CODIFY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND 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 Jupiter Inlet Colony participates in the National Flood Insurance Program and the Town Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60, necessary for such participation; and

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

WHEREAS, the Town Commission has determined that it is in the public interest to amend Chapter 7 FLOOD DAMAGE PREVENTION, Article I. Administration, Section 7-2(C) Basis for establishing flood hazard areas to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

NOW, THEREFORE, BE IT ORDAINED by the Town Commission of the Town of Jupiter Inlet Colony that the following amendment is hereby adopted.

SECTION 1. Chapter 7 FLOOD DAMAGE PREVENTION, Article I. Administration, Section 7-2(C) of the Code of Ordinances is hereby amended to read as follows.

(C) Basis for establishing flood hazard areas. The Flood Insurance Study for Palm Beach County, **Florida and Incorporated Areas** dated 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 Hall, 50 Colony Road, Jupiter inlet Colony, FL 33469.

SECTION 2. APPLICABILITY.

For the purposes of jurisdictional applicability, this ordinance shall apply in the Town of Jupiter Inlet Colony, Florida. 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. INCLUSION INTO THE CODE OF ORDINANCES.

It is the intent of the Town Commission that the provisions of this Ordinance shall become and be made part of the Town of Jupiter Inlet Colony Code of Ordinances, and that the sections of this Ordinance may be renumbered or re-lettered 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 4. SURVIVAL.

Each and every other provision contained in Chapter 7 FLOOD DAMAGE PREVENTION shall remain in full force and effect as previously enacted.

SECTION 5. CONFLICTS.

All ordinances or parts of ordinances in conflict herewith be and the same is hereby repealed.

SECTION 6. SEVERABILITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part so declared.

SECTION 7. EFFECTIVE DATE.

This ordinance shall take effect immediately upon adoption.

FIRST READING this 14th day of August, 2017.

SECOND READING and FINAL PASSAGE this 11th day of September, 2017.

TOWN OF JUPITER INLET COLONY, FLORIDA

MAYOR DANIEL J. COMERFORD, III

VICE-MAYOR THOMAS M. DISARNO

COMMISSIONER JEROME A. LEGERTON

COMMISSIONER MILTON J. BLOCK

COMMISSIONER RICHARD D. BUSTO

ATTEST:

APPROVED AS TO FORM:

Town Clerk Jude M. Goudreau

Town Attorney William Doney