

RESOLUTION NO. 04-66

A RESOLUTION OF THE MAYOR AND VILLAGE COUNCIL OF THE VILLAGE OF PALMETTO BAY, FLORIDA, EXPRESSING INTENT TO PARTICIPATE IN THE NATIONAL FLOOD INSURANCE PROGRAM AND AUTHORIZING THE VILLAGE MANAGER TO TAKE ALL NECESSARY ACTIONS FOR PARTICIPATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, certain areas of Village of Palmetto Bay are subject to periodic flooding, or flood-related erosion, causing serious damages to properties within these areas; and,

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and,

WHEREAS, it is the intent of this Village Council to require the recognition and evaluation of flood, or flood-related erosion hazards in all official actions relating to the land use in areas having these hazards; and,

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to the laws of the State of Florida.

NOW, THEREFORE, BE IT RESOLVED, that this Village Council hereby:

Section 1. Assures the Federal Insurance Administrator that it will enact as necessary, and maintain in force in those areas having flood, or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Part 60 of the National Flood Insurance Program Regulations (CFR44); and

Section 2. Vests the Village of Palmetto Bay, Public Works Department with the responsibility, authority and means to:

- (a) Assist the Administrator, at his request, in his delineation of the limits of the area having special flood, or flood-related erosion hazards.

- (b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain, or flood-related erosion areas.
- (c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
- (d) Upon occurrence, notify the Administrator in writing whenever the boundaries of the Community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the Community's boundaries, include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished flood plain management regulatory authority.

Section 3. Appoints the Village of Palmetto Bay, Building and Zoning Department to maintain for public inspection and to furnish upon request for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, any certificates of flood-proofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new or substantially improved structures, and include whether or not such structures include a basement, and if the structure has been floodproofed; and

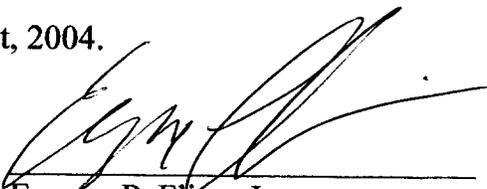
Section 4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Section 5. This resolution shall take effect immediately upon approval.

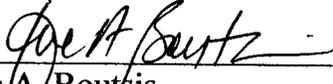
PASSED and ADOPTED this 2nd day of August, 2004.

ATTEST:


Meighan Pier
Village Clerk


Eugene P. Flinn, Jr.
Mayor

APPROVED AS TO FORM:


Eve A. Boutsis,
Village Attorney

FINAL VOTE AT ADOPTION:

Mayor Eugene P. Flinn, Jr.	<u>YES</u>
Vice-Mayor Linda Robinson	<u>YES</u>
Council Member Ed Feller	<u>YES</u>
Council Member Paul Neidhart	<u>YES</u>
Council Member John Breder	<u>YES</u>

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