

**TOWN OF DAVIE
TOWN COUNCIL AGENDA REPORT**

TO: Mayor and Councilmembers

FROM/PHONE: Chris Kovanes, Interim Town Administrator
Prepared by: Phillip R. Holste, CFM, GIS Project Leader

SUBJECT: Ordinance

AFFECTED DISTRICT: Townwide

TITLE OF AGENDA ITEM: AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 8 OF THE TOWN CODE TO COMPLY WITH THE NATIONAL FLOOD INSURANCE PROGRAM FLOODPLAIN MANAGEMENT CRITERIA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

REPORT IN BRIEF: The Town of Davie is a participant in the National Flood Insurance Program. To continue its participation, the Town needs to amend its floodplain management ordinance to comply with the NFIP standards. The ordinance will amend the Town Code by creating a new section, 8-2 for definitions. It will move two definitions from Section 8-16 to Section 8-2 and add three new definitions to Section 8-2.

PREVIOUS ACTIONS: Ordinance 76-23 (approved June 16, 1976), Ordinance 77-20 (approved July 20, 1977), Ordinance 88-7 (approved February 4, 1988), Ordinance 95-14 (approved March 15, 1995).

CONCURRENCES: N/A

FISCAL IMPACT: None

RECOMMENDATION(S): Motion to approve ordinance.

Attachment(s): Ordinance

ORDINANCE _____

AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING CHAPTER 8 OF THE TOWN CODE TO COMPLY WITH THE NATIONAL FLOOD INSURANCE PROGRAM FLOODPLAIN MANAGEMENT CRITERIA; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Davie desires to amend Chapter 8 of the Code of Davie in order to conform said chapter to the National Flood Insurance Program Floodplain Management Criteria.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF DAVIE, FLORIDA.

SECTION 1. That Section 8-2 of the Town Code is hereby added to read as follows:

Section 8-2. Definitions

- a. "Base Flood" shall be defined to mean the flood having a one percent chance of being equaled or exceeded in any given year.
- b. "Lowest Floor" shall be defined to mean the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; Provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Section 60.3 of the NFIP minimum regulations.
- c. "Special Flood Hazard Areas" shall be defined to mean the land in the floodplain within the community subject to a 1 percent or greater chance of flooding in a given year. The area may be designated as Zone A on the FHBM (Flood Hazard Boundary Map). After detailed ratemaking has been completed in preparation for publication of the flood insurance rate map, Zone A usually is refined into Zones A, AO, AH, A1-A30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, or V1-30, VE or V.
- d. "Development" shall be defined to mean any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

- e. "Substantial improvement" shall be defined to mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred.

SECTION 2. That Section 8-16 of the Town Code is hereby amended to read as follows:

Sec. 8-16. Building permit required.

- (a) In accordance with Section 301 of the South Florida Building Code and this chapter, no construction or development, including placement of prefabricated buildings and manufactured homes, or substantial improvements on any property within the town shall be undertaken until after an applicable permit has been obtained from the building official. However, notwithstanding the foregoing requirements, the town recognizes that non-residential farm buildings and non-residential structures on farms shall be excepted from the requirements of this section.
- (b) ~~Development" shall be defined to mean any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.~~
- (c) ~~"Substantial improvement" shall be defined to mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started or, if the structure has been damaged and is being restored, before the damage occurred.~~

SECTION 3. This ordinance shall take effect immediately upon its passage and adoption.

PASSED ON FIRST READING THIS ____ DAY OF _____, 2005.

PASSED ON SECOND READING THIS ____ DAY OF _____, 2005.

MAYOR/COUNCILMEMBER

ATTEST:

TOWN CLERK

APPROVED THIS _____ DAY OF _____, 2005

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