

ORDINANCE #146
AN ORDINANCE
OF THE TOWN OF
SEWALL'S POINT,
FLORIDA, AMEND-
ING SECTION 2.5-4,
CODE OF ORDINAN-
CES, TOWN OF
SEWALL'S POINT,
FLORIDA; PROVID-
ING FOR NO SALE
OR DELIVERY OF
ALCOHOLIC BEVE-
RAGES BETWEEN
THE HOURS OF
12:01 A.M. AND

1:00 P.M. ON SUN-
DAY OR BETWEEN
THE HOURS OF
12:01 A.M. AND 10:00
A.M. ON ANY DAY
OF THE WEEK O-
THER THAN SUN-
DAY; PROVIDING
FOR INSERTION
IN THE TOWN
CODE; PROVIDING
REPEAL OF ORDI-
NANCES AND RESO-
LUTIONS IN CON-
FLICT THEREWITH;
PROVIDING FOR
SEPARATION IN
THE EVENT A SEC-
TION OR PORTION
IS DECLARED TO BE
UNCONSTITUTION-
AL; PROVIDING
FOR AN EFFECTIVE
DATE.

ORDINANCE #147
AN ORDINANCE
OF THE TOWN OF
SEWALL'S POINT,
FLORIDA AMEND-
ING CHAPTER 6.1,
FLOOD DAMAGE
PREVENTION,
CODE OF ORDINAN-
CES, TOWN OF SE-
WALL'S POINT,
FLORIDA; PRO-
VIDING THE BASIS
FOR ESTABLISH-
ING THE AREAS
OF SPECIAL FLOOD
HAZARD; PROVI-
SION FOR A MINI-
MUM FLOOR ELE-
VATION OR FLOOD
PROOFING CERTI-
FICATION; PROVID-
ING FOR INSER-
TION IN TOWN
CODE; PROVIDING
REPEAL OF ORDI-
NANCES AND RESO-
LUTIONS IN CON-
FLICT WITH THIS;
PROVIDING FOR
SEPARATION IN
THE EVENT A SEC-
TION OR PORTION
IS DECLARED TO
BE UNCONSTITU-
TIONAL; PROVID-
ING FOR AN EF-
FECTIVE DATE.

Pulish: Jan. 25, 1984.

Second Draft
February 8, 1984

Coding: Words underscored are deletions from existing ordinance;
words in **BOLDFACE** type are additions

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ORDINANCE NO. 147

AN ORDINANCE OF THE TOWN OF SEWALL'S POINT, FLORIDA, AMENDING CHAPTER 6.1, FLOOD DAMAGE PREVENTION, CODE OF ORDINANCES, TOWN OF SEWALL'S POINT, FLORIDA; PROVIDING THE BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD; PROVISION FOR A MINIMUM FLOOR ELEVATION OR FLOOD PROOFING CERTIFICATION; PROVIDING FOR INSERTION IN THE TOWN CODE; PROVIDING REPEAL OF ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH; PROVIDING FOR SEPARATION IN THE EVENT A SECTION OR PORTION IS DECLARED TO BE UNCONSTITUTIONAL; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 166, Florida Statutes, and the Town Charter of the Town of Sewall's Point, styled Chapter 57-1865, Laws of Florida, the Town of Sewall's Point has the authority to enact regulations and ordinances designed to promote the public health, safety and general welfare of its citizens; and

WHEREAS, the Federal Emergency Management Agency and the Florida Bureau of Land and Water Management have advised the Town that the Town's existing flood plain management regulations must be updated to meet certain federal standards; and

WHEREAS, the Town Commission has determined that it is necessary and appropriate to amend the existing flood damage prevention ordinance so that it complies with federal requirements.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that Chapter 6.1, Flood Damage Prevention, Section 6.1-3(b), Code of Ordinances, Town of Sewall's Point, Florida, is hereby amended to read as follows:

(b) Basis for establishing the areas of special flood hazard: The areas of special flood hazard identified by the Federal Insurance Administration in its **Flood Insurance Rate Map (F.I.R.M.)**, 120164 0005(B), dated July 29, 1983, Flood Hazard Boundary Map (F.B.M.), #120164 0005 B, dated August 15, 1978, and any revisions thereto are adopted by reference and declared to be a part of this chapter; or the areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the Town of Sewall's Point," dated July 1983, February 1978, with accompanying flood insurance rate maps, flood

boundary and floodway maps and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter.

BE IT FURTHER ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF SEWALL'S POINT, FLORIDA, that Chapter 6.1, Flood Damage Prevention, Section 6.1-4(c) is hereby amended by adding subsections, to be numbered (5) and (6), which subsections read as follows:

- (5) Provide a certificate from a registered professional engineer or a registered land surveyor identifying the area or zone in which the property in question is located according to the FHBM and FIRM then in effect.
- (6) Provide a floor elevation or flood-proofing certification after the lowest floor is completed, or in instances where the structure is subject to the regulations applicable to Coastal High Hazard Areas, after placement of the horizontal structural members of the lowest floor. Within twenty-one (21) calendar days of establishment of the lowest floor elevation, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the building commissioner a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest portion of the horizontal structural members of the lowest floor, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Any work done within the twenty-one (21) day calendar period and prior to submission of the certification shall be at the permit holder's risk. The building commissioner shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.

SEPARATION.

If any section, sentence, clause, phrase or word of this Ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding or invalidity shall not affect the remaining portions of this Ordinance, and it shall be construed to have been the intent of the Board to adopt this Ordinance without such unconstitutional, invalid or inoperative part therein, and the remainder of this Ordinance after the exclusion of such part or parts, shall be deemed and held to be valid as if such part or parts had not been included herein. If this Ordinance or any provision thereof shall be held

to be inapplicable to any person, groups of persons, property, kind of property, circumstances or set of circumstances, such holdings shall not affect its applicability to any other person, property or circumstances.

REPEAL.

Town ordinances and Town resolutions, or parts thereof, in conflict with this Ordinance are hereby abolished and repealed to the extent of such conflict.

INCORPORATION IN TOWN CODE.

Provisions of this Ordinance shall be incorporated in the Town Code and the word "Ordinance" may be changed to "section," "article," or other appropriate word, and the sections of this Ordinance may be renumbered or relettered to accomplish such intention.

EFFECTIVE DATE.

This Ordinance shall become effective immediately upon the date of its passage according to law.

Passed first reading at the regular meeting of the Town Commission held on the 11th day of January, 1984.

Passed second reading at the regular meeting of the Town Commission held on the 8th day of February, 1984.

ATTEST:

Joan Barrow
JOAN BARROW, Town Clerk

Approved as to form and correctness:

M. Lanning Fox
M. LANNING FOX,
Town Attorney

G. C. Strubell
GILBERT C. STRUBELL,
Mayor-Commissioner

John C. Guenther
JOHN C. GUENTHER, Vice-Mayor
Commissioner

Clifford B. Drake
CLIFFORD B. DRAKE, Commissioner

Edward H. Gluckler
EDWARD H. GLUCKLER, Commissioner

Helena B. Towl
HELENA B. TOWL, Commissioner

