

# TOWN OF JUPITER



**DATE:** August 3, 2017  
**TO:** Honorable Mayor and Members of Town Council  
**THRU:** Lori S. Bonino, Interim Town Manager *LB*  
**FROM:** David L. Brown, Director of Utilities *[Signature]*  
**SUBJECT:** Ordinance No. 17-17 Amending the Town of Jupiter Code of Ordinance to update the Basis for establishing flood hazard areas based upon the updated Flood Insurance Study and Flood Insurance Rate Maps

## EXECUTIVE SUMMARY:

Staff recommendation to accept FEMA's updated flood insurance rate maps.

The National Flood Insurance Program (NFIP) was established with the passage of the National Flood Insurance Act of 1968. The NFIP is a Federal program enabling property owners in participating communities to purchase flood insurance. The Town of Jupiter entered the NFIP on September 22, 1972. The current Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) for the Town became effective on September 30, 1982.

The Federal Emergency Management Agency (FEMA) has updated both the FIRMs and the FIS for Palm Beach County which includes Jupiter and they will become effective on October 5, 2017. In order to comply with the NFIP the Town is required to adopt the new FIRMS and FIS. The advantages of the Town adopting the new maps and flood insurance study, is that properties within the SFHA will be able to purchase NFIP flood policies and existing policies will be renewed. Federal disaster assistance for flood damage will be provided to repair insurable buildings. Federal mortgage insurance or loan guarantees, such as those provided by the Federal Housing Administration and the Department of Veteran Affairs, will continue to be provided. Based upon the 1982 Maps and Study, there were 3,963 properties included within the Special Flood Hazard Area (SFHA). With new technology such as LIDAR, which is a survey method used by flying over the land area to obtain topographic information and improved flood modelling software the SFHA has been reduced within the Town of Jupiter. The new FIRMs have approximately 2,035 properties within the SFHA.

## RECOMMENDATION:

Staff recommends approval of Ordinance No. 17-17 to ensure compliance with all requirements of the NFIP and continued availability of Federal flood insurance for the citizens in floodplain areas within the Town.

**Strategic Priority:** Safety

## Attachments:

1.) Ordinance No. 17-17 Amending the Town of Jupiter Code of Ordinance to update the Basis for establishing flood hazard areas based upon the updated Flood Insurance Study and Flood Insurance Rate Maps

## Funding Source:

|    |                    |       |          |    |
|----|--------------------|-------|----------|----|
| NA | Approved in Budget | \$ NA | Sources: | NA |
| NA | Approved in Budget | \$ NA |          |    |

## ORDINANCE NO. 17-17

### AN ORDINANCE BY THE TOWN OF JUPITER, FLORIDA AMENDING THE REGULATIONS OF CHAPTER 22 OF THE TOWN CODE, TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

**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 participates in the National Flood Insurance Program and the **Town Council** 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 Council has determined that it is in the public interest to amend Chapter 22, Section 22 to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of Jupiter that the following amendments are hereby adopted.

#### **SECTION 1. Amend Chapter 22, Article III, Section 22-11**

##### **Sec. 22-11 Basis for establishing flood hazard areas.**

The Flood Insurance Study for ~~The Town of Jupiter~~, Palm Beach County, Florida and Incorporated Areas dated ~~March 31, 1982~~ October 5, 2017, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), ~~map numbers 1125119, 0001 to 0006, inclusive dated, September 30, 1982~~, and all subsequent amendments and revisions to such maps ~~as the same may be hereafter amended and revised~~, are adopted by reference as a part of this chapter and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file and may be reviewed at the Town of Jupiter Building Department located at 210 Military Trail, Jupiter, Florida 33458.

#### **SECTION 2. APPLICABILITY.**

For the purposes of jurisdictional applicability, this ordinance shall apply in the Town of Jupiter. 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 Council that the provisions of this ordinance shall become and be made a part of the Town of Jupiter 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. 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 5. EFFECTIVE DATE.**

This ordinance shall take effect immediately upon execution.