

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 96- 33

A RESOLUTION OF THE TOWN OF FORT MYERS BEACH, FLORIDA, ASSURING THE FEDERAL INSURANCE ADMINISTRATION THE TOWN 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, PROVIDING TOWN MANAGER TO IMPLEMENT THE PROGRAM AND AN EFFECTIVE DATE

WHEREAS, certain areas of the Town of Fort Myers Beach 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 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 Chapter 95-494, Laws of Florida, Chapter 166, Florida Statutes, and other applicable provisions of law.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FORT MYERS BEACH, FLORIDA:

SECTION 1. ASSURING THE FEDERAL INSURANCE ADMINISTRATION THE TOWN WILL ENACT AS NECESSARY, AND MAINTAIN IN FORCE IN THOSE AREAS HAVING FLOOD, OR FLOOD-RELATED EROSION HAZARDS, ADEQUATE LAND USE AND CONTROL MEASURES

The Town Council assures the Federal Insurance Administration 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 (CFR 44); and

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

SECTION 2. TOWN MANAGER TO IMPLEMENT THE PROGRAM

A. The Town Council vests the Town Manager with the responsibility, authority and means to:

(a) Assist the Administrator, upon request, in the 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 food-related erosion areas.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify food 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 food plain 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 food plain management regulatory authority.

B. The Town Council appoints the Town Manager 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 flood proofed.

SECTION 3. EFFECTIVE DATE.

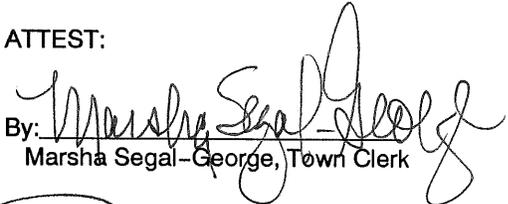
This resolution shall take effect immediately upon its adoption by the Fort Myers Beach Town Council.

The foregoing resolution was adopted by the Fort Myers Beach Town Council upon being put to a vote, the result was as follows:

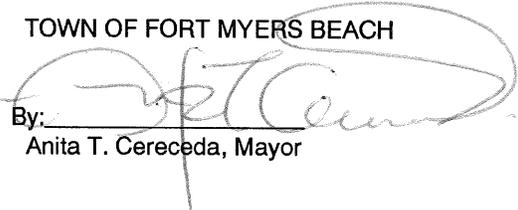
Anita T. Cereceda	<u>aye</u>
Ted FitzSimons	<u>aye</u>
William (Rusty) Isler	<u>aye</u>
Garr Reynolds	<u>aye</u>
Ray Murphy	<u>aye</u>

DULY ADOPTED this 18th day of November, 1996.

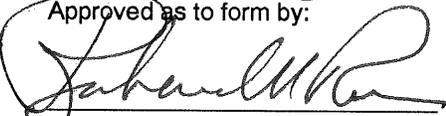
ATTEST:

By: 
Marsha Segal-George, Town Clerk

TOWN OF FORT MYERS BEACH

By: 
Anita T. Cereceda, Mayor

Approved as to form by:


Richard V.S. Roosa, Town Attorney