

ORDINANCE NO. 24-5508

AN ORDINANCE OF THE CITY OF SARASOTA, FLORIDA AMENDING THE FLOODPLAIN MANAGEMENT ORDINANCE NO. 22-5431, AS AMENDED BY ORDINANCE NO. 23-5482, CHAPTER 1, ADMINISTRATION, SECTION 102.3, BASIS FOR ESTABLISHING FLOOD HAZARD AREAS, AND SECTION 103.9, FLOODPLAIN MANAGEMENT RECORDS, SO AS TO UPDATE THE DATE OF THE FLOOD INSURANCE STUDY FOR SARASOTA COUNTY AS WELL AS THE LOCATION OF THE STUDIES, MAPS AND OTHER RELEVANT RECORDS SO AS TO COMPLY WITH FEDERAL EMERGENCY MANAGEMENT AGENCY REQUIREMENTS; PROVIDING FOR SEVERABILITY OF THE PARTS HEREOF IF DECLARED INVALID; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Legislature of the State of Florida has, in Section 166.021, 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 City of Sarasota participates in the National Flood Insurance Program (NFIP) and 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 Sarasota County and incorporated areas with an effective date of March 27, 2024; and

WHEREAS, the City Commission of the City of Sarasota has determined that the terms of the Floodplain Management Ordinance, as amended herein, to identify the effective date of the revised Flood Insurance Study and Flood Insurance Rate Maps are in furtherance of the public health, safety and welfare.

NOW THEREFORE BE IT ENACTED BY THE PEOPLE OF THE CITY OF SARASOTA, FLORIDA:

Section 1. The Floodplain Management Ordinance 22-5431, as amended by Ordinance No. 23-5482, Chapter 1, Section 102.3, Basis for establishing flood hazard areas, and Section 103.9, Floodplain management records, are hereby amended so as to update the date of the Flood Insurance Study for Sarasota County, as well as the location of the studies, maps and other relevant records. As amended, Sections 102.3 and 103.9 will provide as follows:

102.3 Basis for establishing flood hazard areas. The Flood Insurance Study for Sarasota County, Florida and Incorporated areas dated ~~November 4, 2016~~ March 27, 2024, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are adopted by reference as a part of this ordinance and shall serve as the minimum basis for establishing flood hazard areas. Studies and maps that establish flood hazard areas are on file at the Department of Development Services, City of Sarasota, Florida, ~~1565 First Street, Annex 2nd Floor, Sarasota, Florida 34236~~ City Hall Complex, Sarasota, Florida 34236.

103.9 Floodplain management records. Regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of this ordinance and the flood resistant construction requirements of the *Florida Building Code*, including Flood Insurance Rate Maps; Letters of Map Change; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required design certifications and documentation of elevations specified by the *Florida Building Code* and this ordinance; notifications to adjacent communities, FEMA, and the state related to alterations of watercourses; assurances that the flood carrying capacity or altered watercourses will be maintained; documentation related to appeals and variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to this ordinance and the flood resistant construction requirements of the *Florida Building Code*. These records shall be available for public inspection at Department of Development Services, City of Sarasota, Florida, ~~1565 First Street, Annex 2nd Floor, Sarasota, Florida 34236~~ City Hall Complex, Sarasota, Florida 34236.

Section 2. It is hereby declared to be the intention of the City Commission that the sections, paragraphs, sentences, clauses and phrases of this Ordinance shall be

deemed severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance is declared unconstitutional or otherwise invalid by the valid judgment by a court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

Section 3. Except as expressly set forth herein, all of the terms, covenants and conditions of the Floodplain Management Ordinance No. 22-5431, as amended by Ordinance No. 23-5482, are hereby ratified and confirmed by the City of Sarasota.

Section 4. This Ordinance shall take effect immediately upon second reading.

PASSED on first reading by title only, after posting for public viewing at City Hall for at least three (3) days prior to first reading, as authorized by Article IV, Section 2, Charter of the City of Sarasota, Florida this 16th day of January, 2024.

PASSED on second reading and finally adopted this 5th day of February, 2024.



Liz Alpert, Mayor

ATTEST:



Shayla Griggs
City Auditor and Clerk

Yes Mayor Liz Alpert
Yes Vice Mayor Jen Ahearn-Koch
Yes Commissioner Erik Arroyo
Yes Commissioner Kyle Scott Battie
Yes Commissioner Debbie Trice