

RESOLUTION NO. 2024-19

A RESOLUTION OF THE TOWN OF EATONVILLE, FLORIDA, TO IMPLEMENT PERFORMANCE MEASURES FOR COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

WHEREAS, the Town has been a National Flood Insurance Program (“NFIP”) participant in good standing since December 1, 1982, and seeks to maintain and improve its flood resiliency through the NFIP and Community Rating System (“CRS”); and

WHEREAS, the Town has designated special flood hazard areas on NFIP flood insurance rate maps that were adopted on September 25, 2009, and the community has twenty (20) policies in force; and

WHEREAS, the Town has reviewed and re-dedicated itself to meeting all requirements for joining the NFIP that it adopted by Resolution when it first joined the voluntary NFIP; and

WHEREAS, the Town re-dedicates itself to be compliant with the NFIP subject to determination by the Florida Division of Emergency Management and/or the Federal Emergency Management Agency (“FEMA”) by virtue of a determination through a Community Assistance Visit (“CAV”) that the Town has an NFIP-compliant floodplain management program; and

WHEREAS, the Town has developed and is actively implementing “Performance Measures” to ensure that its floodplain management program meets or exceeds the minimum requirements of the NFIP; and

WHEREAS, it is the intent of the Town Council to continue participation in the CRS program and strive to exceed the minimum NFIP requirements set forth in Parts 59, 60, and 65 of the National Flood Insurance Program Regulations (Title 44 of the Code of Federal Regulations); and

NOW, THEREFORE, be it resolved by the Town Council of the Town of Eatonville, Florida, as follows:

SECTION 1. Legislative Findings. The findings set forth in the recitals above are adopted and fully incorporated herein as legislative findings of the Town Council.

SECTION 2. Intent to Comply with NFIP Requirements. The Town Council assures the State of Florida Division of Emergency Management and the Department of Homeland Security’s Federal Emergency Management Agency that the Town will enact as necessary and maintain in force in those areas having flood or flood-related hazards adequate land use and floodplain regulations with effective enforcement provisions necessary to implement an NFIP-

compliant program and to implement the performance measures required to ensure consistency with the NFIP and CRS program, as attached as **Exhibit “A”** and incorporated herein.

SECTION 3. Seven Performance Measures. The Town Council vests the Town floodplain administrator and his/her associates with the responsibility, authority, and means to implement the following performance measures, which are incorporated by reference and attached:

- (1) Adopt and maintain a flood damage prevention ordinance based on the State model that is coordinated with the Florida Building Code;
- (2) Conduct annual inspections of development in SFHAs to be reported annually that addresses identified compliance issues to be resolved through enforcement and mitigation to the maximum extent possible;
- (3) Administer a flood zone permit application for regulating all development in SFHAs with procedures and checklists approved by the State and FEMA Region IV;
- (4) Ensure accurate completion of all elevation certificates before vertical construction and prior to issuance of certificates of occupancy;
- (5) Annually disseminate letters to utility companies concerning tanks that must be elevated or anchored and new HVAC equipment that must be elevated above the BFE;
- (6) Administer substantial improvement/damage determination procedures approved by State and FEMA Region IV staff and maintenance of permanent records of determinations;
- (7) Provide DFIRMs or links to DFIRMs and elevation certificates on the community’s website where feasible.

SECTION 4. Additional Actions. The Town also agrees to take such other official action as may be reasonably necessary to carry out the objectives of the NFIP and CRS programs.

SECTION 5. Severability. Should any word, phrase, sentence, subsection, or section be held by a court of competent jurisdiction to be illegal, void, unenforceable, or unconstitutional, then that word, phrase, sentence, subsection, or section so held shall be severed from this Resolution and all other words, phrases, sentences, subsections, or sections shall remain in full force and effect.

SECTION 6. Conflicts. All resolutions or part thereof in conflict herewith are, to the extent of such conflict, repealed.

SECTION 7. Effective date. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED this 19th day of June, 2024.

Attest:

Angie Gardner, Mayor

Veronica King, Town Clerk

Approved as to form:

Clifford B. Shepard, Town Attorney

EXHIBIT A

Florida Floodplain Management Performance Measures