

**RESOLUTION 2020-21**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF WESTLAKE, FLORIDA PROVIDING A NOTICE OF INTENT TO THE FEDERAL INSURANCE ADMINISTRATOR THAT THE CITY OF WESTLAKE WILL IMPLEMENT AND ENFORCE PROVISIONS CONSISTENT WITH THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, certain areas of the City of Westlake 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 City Council for the City of Westlake to require the recognition and evaluation of flood, or flood-related erosion hazards in all official actions relating to the land use and development, including building construction, repair and remodeling in areas having these hazards; and

**WHEREAS**, this body has the legal authority pursuant to Florida Statutes, Chapter 166, to adopt land use and control measures to promote the public health, safety, and general welfare of its citizens to reduce future flood losses; and

**WHEREAS**, the City Council adopted Resolution 2018-17, providing Notice of Intent to the Federal Insurance Administrator that the City will implement and enforce provisions consistent with the National Flood Insurance program provision; and

**WHEREAS**, Florida's State Floodplain Management Coordinator requested minor revisions to the adopted Resolution 2018-17, and said changes are incorporated herein.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council for the City of Westlake, Florida that:

**Section 1:**        **Recitals.**        The foregoing recitals are confirmed, adopted and incorporated herein and made a part hereof by this reference.

**Section 2:**        **Assurances.**        The City Council for the City of Westlake hereby assures Federal Emergency Management Agency (FEMA) that it will enact as necessary, and maintain in force in those areas having flood, or flood-related hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Parts 59, 60 and 65 of the National Flood Insurance Program Regulations (CFR 44).

**Section 3:**        **City Manager Authority.**        The City Council for the City of Westlake hereby vests the City Manager with the responsibility, authority and means to:

- (a) Assist FEMA, at its request, in its delineation of the limits of the area having special flood, or flood-related hazards.
- (b) Provide such information as FEMA may request concerning present uses and occupancy of the flood plain, or flood-related areas.

(c) Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify flood plain, or flood-related areas, and cooperate with neighboring communities with respect to management of adjoining flood plain, and/or flood-related areas in order to prevent aggravation of existing hazards.

(d) Upon occurrence, notify FEMA in writing whenever the boundaries of the City have been modified by annexation or the City has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood-Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the City's boundaries, include within such notification a copy of a map of the city suitable for reproduction, clearly delineating the new corporate limits or new area for which the city has assumed or relinquished flood plain management regulatory authority.

**Section 4:** **Flood Insurance.** The City Council for the City of Westlake hereby appoints the City 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, information on the elevation (in relation to mean sea level) of the level of the lowest floor (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; and

**Section 5:** **Other Actions.** The City Council for the City of Westlake hereby Agrees to take such other official action as may be necessary to carry out the objectives of the program.

**Section 6:** **Severability:** Should the provisions of this Resolution be declared to be severable and if any section, sentence, clause or phrase of this Resolution shall for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Resolution but they shall remain in effect, it being the legislative intent that this Resolution shall remain notwithstanding the invalidity of any part.

**Section 7:** **Effective Date:** That this Resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by City Council for the City of Westlake, on this 10th day of August, 2020.

**PUBLISHED** on this \_\_\_\_\_ day of \_\_\_\_\_, 2020 in the Palm Beach Post.

\_\_\_\_\_  
Roger Manning, Mayor  
City of Westlake

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Zoie Burgess, City Clerk

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Approved as to Form and Sufficiency  
Pam E. Booker, City Attorney