

ORDINANCE NO. 599

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AMENDING ITS CODE OF ORDINANCES, AT CHAPTER 67, BUILDINGS AND BUILDING REGULATIONS, ARTICLE III, TECHNICAL CODES AND OTHER CONSTRUCTION STANDARDS, SECTION 67-32, FLOOR ELEVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Federal Emergency Management Agency (“FEMA”) develops standards for buildings to meet the National Flood Insurance Program (“NFIP”); and

WHEREAS, the NFIP’s Flood Insurance Manual allows certain enclosures with proper openings to be rated using the elevated floor as the lowest floor; and

WHEREAS, the NFIP also allows alternatives to such openings for “non-engineered openings”; and

WHEREAS, the Town’s current building standards require that the lowest slab of any enclosed area be no less than 8’ above zero elevation as established by the United States Coastal and Geodetic Survey (NGVD); and

WHEREAS, certain areas of Town have areas where the street elevation is below this threshold which results in the construction of steep inclines for residents in the affected areas when these residents travel from their driveways to their garages; and

WHEREAS, the Florida Building Code has been amended to avoid this situation and the Town desires to revise its building codes in accordance with the Florida Building Code standards for finished floor elevations; and

WHEREAS, the Town Commission has determined that Section 67-32, Code of Ordinances, Town of Ocean Ridge, Florida, needs to be amended in order to minimize the unnecessary construction of excessively steep driveways within Town boundaries.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COMMISSION OF THE TOWN OF OCEAN RIDGE, FLORIDA, AS FOLLOWS:

SECTION 1 - Findings of Fact: The WHEREAS clauses set forth above are adopted herein as findings of fact.

SECTION 2 - Amendment of Section 67-32, Code of Ordinances, Town of Ocean Ridge, Florida: Section 67-32, Code of Ordinances, Town of Ocean Ridge, Florida, titled Floor elevations, is amended as follows:

Section 67-32. – Floor elevations.

(a) Finished floor elevations. Finished floor elevations shall be established as follows:

(5) Nothing in this subsection (a) shall be construed to prohibit the construction of basements, garages, or porches; provided, however, that all basements shall have a minimum finished floor elevation of not less than eight feet above zero elevation as established by the U.S. Coastal and Geodetic Survey and, except as otherwise provided in subsection (c)(2) of this section, a maximum finished floor elevation as required by subsection (a)(3) of this section. The artificial filling of land to create a basement is expressly prohibited. Notwithstanding the foregoing, all garages or other enclosed areas used solely for parking vehicles, building access or storage below the designed flood elevation can be constructed at elevations less than eight feet above zero elevation provided that the enclosed area provides for the entry and exit of flood waters through: (i) two openings having a total net area not less than one (1) square inch per one (1) square foot of enclosed area or (ii) engineered openings that are certified as having been designed to provide automatic equalization of hydrostatic flood forces. The bottom of any opening or engineered opening must be at least one (1) foot above adjacent grade. All enclosed areas must be constructed in accordance with the provisions of § 66-20(3).

(b) *Finished grade of slab.* The minimum finished grade of the first floor or slab for residential structures located within the town shall be not less than eight feet above zero elevation as set by the U.S. Coastal and Geodetic Survey, and such grade level shall not be in excess of nine feet above zero elevation except for enclosed areas which can be constructed at elevations less than eight feet above zero elevation in accordance with §§ 67-32(a)(5) and 66-20(3).

(Ord. No. 540, 3-13-2003)

Cross reference— Flood damage prevention, § 66-16 et seq.

SECTION 3 – Severability: In the event any section, paragraph, sub-paragraph, sentence, clause, phrase or word of this Ordinance shall be declared invalid, illegal or unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions hereof.

SECTION 4 - Repeal of Ordinances: Any ordinance in conflict herewith, to the extent of such conflict, is hereby repealed.

SECTION 5 – Codification: This Ordinance shall be incorporated in and shall be included in the Town's Code of Ordinances.

SECTION 6 - Effective Date: This Ordinance shall become effective immediately upon adoption.

FIRST READING this 10th day of September, 2012.

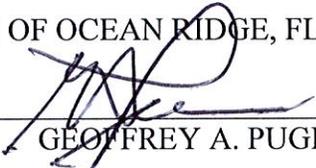
SECOND AND FINAL READING this 1st day of October, 2012.

Commissioner Brookes offered the foregoing Ordinance and its adoption. The motion was seconded by Commissioner Allison and upon being put to a vote, the vote was as follows:

GEOFFREY A. PUGH, Mayor	<u>Yea</u>
DR. LYNN L. ALLISON, Vice Mayor	<u>Yea</u>
GAIL ADAMS AASKOV Commissioner	<u>Yea</u>
ED BROOKES, Commissioner	<u>Yea</u>
ZOANNE HENNIGAN, Commissioner	<u>Yea</u>

The Mayor thereupon declared this Ordinance approved and adopted by the Town Commission of the Town of Ocean Ridge, Florida, on second reading, this 1st day of October, 2012.

TOWN OF OCEAN RIDGE, FLORIDA

BY: 
GEOFFREY A. PUGH, MAYOR

ATTEST: 
TOWN CLERK