ORDINANCE NO. 2026 - ____

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, REPEALING CHAPTER 10A - FLOOD DAMAGE AND PREVENTION, OF THE CITY'S CODE OF ORDINANCES IN ITS ENTIRETY, AND ADOPTING A NEW CHAPTER 10A - FLOOD DAMAGE AND PREVENTION, RELATING TO NATIONAL FLOOD INSURANCE PROGRAM (NFIP) COMPLIANCE, INCLUDING FLOODPLAIN REGULATION DEFINITIONS AND PROVISIONS, AND REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS (FIRM); PROVIDING FOR CORRECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR IMPLEMENTATION; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of South Miami ("City") Commission finds it periodically necessary to amend its Code of Ordinances ("Code") in order to update regulations and procedures to implement planning goals and objectives; and

WHEREAS, Article VIII, Section 2 of the Florida Constitution, and Chapter 166, Florida Statutes, provide municipalities with the authority to exercise any power for municipal purposes, except where prohibited by law, and to adopt ordinances in furtherance thereof; and

WHEREAS, on August 19, 2026, the Federal Emergency Management Agency ("FEMA") issued a Letter of Final Determination for Miami-Dade County, including the municipalities located therein, adopting the final Flood Insurance Study ("FIS") report and the Flood Insurance Rate Maps ("FIRMs") with an effective date of February 19, 2027; and

WHEREAS, in its letter, FEMA established a deadline by which municipalities must adopt the new FIS report and the associated FIRMs and demonstrate compliance with any other additional National Flood Insurance Program ("NFIP") requirements; and

WHEREAS, the City participates in the NFIP and the City Commission desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Parts 59 and 60, necessary for such participation; and

WHEREAS, FEMA recommends repeal of the existing Chapter 10A - Flood Damage Prevention in the City's Code, and replacement of same with updated provisions based on the model State ordinance approved by FEMA that relies on the Florida Building Code; and

WHEREAS, the City Commission desires to repeal and replace Chapter 10A - Flood Damage and Prevention, of the City Code, as set forth in Exhibit "A" attached hereto, in order to update and revise floodplain management regulations consistent with the model state ordinance approved by FEMA and to comply with NFIP requirements and incorporate revised FIS report and FIRMs that become effective February 19, 2027; and

WHEREAS, the City Commission finds that this Ordinance is in the best interest of the

City and its residents.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF SOUTH MIAMI, FLORIDA, AS FOLLOWS:[1]

Section 1. Recitals. The above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. Repealing Chapter 10A – Flood Damage and Prevention in its Entirety and Replacing and Adopting a New Chapter 10A – Flood Damage and Prevention, of the City Code. Chapter 10A – Flood Damage and Prevention, of the City's Code is hereby repealed in its entirety, and replaced with a new Chapter 10A – Flood Damage and Prevention, as set forth in Exhibit "A attached hereto and incorporated herein.

Section 3. Corrections. Conforming language or technical scrivener-type corrections may be made by the City Attorney for any conforming amendments to be incorporated into the final Ordinance for signature.

Section 4. Severability. If any section, clause, sentence, or phrase of this Ordinance is for any reason held invalid or unconstitutional by a court of competent jurisdiction, the holding shall not affect the validity of the remaining portions of this Ordinance.

Section 5. Conflicts. That all ordinances or parts of ordinances, provisions in the City's Code of Ordinances, resolutions or parts of resolutions, in conflict herewith, are repealed to the extent of such conflict.

Section 6. Implementation. The City Manager is hereby authorized to take any and all necessary action to implement the purposes of this Ordinance.

Section 7. Effective Date. This Ordinance shall become effective immediately upon adoption.

[1] Coding: ~~Strikethrough words~~ are deletions to the existing words. Underlined words are additions to the existing words. Modifications proposed by the Planning Board are shaded in grey. Changes between first and second reading are indicated with ~~double strikethrough~~ and double underline. Modifications made at second reading are shaded in dark grey.

PASSED on first reading on the ____ day of _____ , 2026.

PASSED AND ADOPTED on second reading on the ____ day of_____, 2026.

ATTEST:

_____
CITY CLERK

READ AND APPROVED AS TO FORM,
LANGUAGE, LEGALITY AND
EXECUTION THEREOF

WEISS SEROTA HELFMAN COLE
& BIERMAN, P.L.

_____
CITY ATTORNEY

APPROVED:

_____
MAYOR

COMMISSION VOTE:
Mayor Javier Fernández:
Vice Mayor Steve Calle:
Commissioner Lisa Bonich:
Commissioner Brian Corey:
Commissioner Danny Rodriguez:

First Reading:
Moved By: _____
Seconded By: _____

Second Reading:
Moved By: _____
Seconded By: _____