

ORDINANCE 787

AN ORDINANCE OF DEFIUNIAK  
SPRINGS, FLORIDA, ADOPTING THE  
LOCAL MITIGATION STRATEGY PLAN  
2010 UPDATE: PROVIDING FOR  
SEVERABILITY; AND PROVIDING FOR  
AN EFFECTIVE DATE

**WHEREAS**, the Board of County Commissioners of Walton County, Florida ("Board") created a Local Mitigation Strategy Working Group ("Working Group") comprised of county and municipal (including DeFuniak Springs) representatives, private citizens, and local and regional agencies involved in hazard mitigation activities; and

**WHEREAS**, the Board charged the Working Group with the responsibility to assess the hazards facing the county and its municipalities, identify initiatives designed to reduce the impact of those hazards, and develop a Local Mitigation Strategy Plan ("Plan"); and

**WHEREAS**, the Plan is intended to provide a strategy to mitigate dangers and costs associated with natural and man-made hazards, address specific mitigation goals of the community and their specific vulnerabilities to hazards, and to provide a priority for mitigation activities before and after a hazardous event; and

**WHEREAS**, in 1999 the Board adopted a Plan developed by the Working Group, which was later updated in 2005; and the City of DeFuniak Springs adopted the updated plan; and

**WHEREAS**, the 2010 update to the Plan includes modifications to establish compliance with the Disaster Mitigation Act of 2000; provides for linkage between many disparate local government documents such as the Comprehensive Growth Management Plan, Capital Improvement Plans, the Comprehensive Emergency Management Plan, Post Disaster Redevelopment Plans, Building Codes, Land Development Regulations, and Hazardous Materials Plans; and

**WHEREAS**, the Working Group has completed the hazard assessment and has incorporated their findings and recommendations into the Plan which has been reviewed by the Florida State Department of Community Affairs and the Federal Emergency Management Agency that necessitated revisions and re-adoption of the Plan throughout the county as meeting the criteria for such plans;

**NOW, THEREFORE, BE IT ORDAINED** by the City of DeFuniak Springs City Council, as follows:

**Section 1. Adoption**

The City of DeFuniak Springs hereby accepts and adopts the Walton County Local Mitigation Strategy Plan 2010 Update, attached hereto as Exhibit A, to reflect the current needs and citizen desires to identify and implement hazard mitigation initiatives that will reduce the city's susceptibility to numerous hazards.

**Section 2. Severability**

In the event that any portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be

Violation of the provisions of this ordinance may be found guilty of a misdemeanor of the first degree, punishable as provided under Section 775.082 or 775.083, Florida Statutes.

**SECTION 6 Effective Date.**

These regulations shall be in effect from and after their passage, approval, and publication according to the laws of the State of Florida. Any application for development review submitted to the City prior to the effective date of this ordinance shall not be subject to the provisions of the ordinance.

This ordinance shall become effective as provided by law.

ADOPTED THIS 12<sup>th</sup> DAY OF July, 2010.

CITY COUNCIL OF THE CITY OF  
DEFUNIAK SPRINGS, FLORIDA

By: C. Harold Carpenter  
C. Harold Carpenter, Mayor

ATTEST:

Jonathan King  
Jonathan King, City Clerk