

CITY OF MARGATE, FLORIDA

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF MARGATE, FLORIDA, AMENDING RESOLUTION 17-150, URGING THE FEDERAL EMERGENCY MANAGEMENT AGENCY ("FEMA") TO CHANGE FEMA'S POLICY REQUIRING PRE-APPROVAL FOR DISASTER DEBRIS REMOVAL FROM PRIVATE ROADS WITHIN RESIDENTIAL COMMUNITIES AND TREAT DISASTER DEBRIS REMOVAL FROM PRIVATE ROADS IN RESIDENTIAL COMMUNITIES IN THE SAME MANNER AS PUBLIC ROADS FOR THE PURPOSE OF FEMA REIMBURSEMENT FOR DISASTER DEBRIS REMOVAL COSTS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR EFFECTIVE DATE.

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WHEREAS, FEMA's Public Assistance Program and Policy Guide provides that prior to removing disaster debris from private roads, the City must request and receive approval from FEMA, which may require a physical inspection of the location by FEMA, in order for the City to obtain reimbursement for the costs of the disaster debris removal (the "Private Road Pre-Approval Policy"); and

WHEREAS, the City is concerned with the threats to public health, safety and welfare and the economic recovery of the community that may result from delaying the removal of disaster debris from residential Private Rights-of-Way within communities within the City following an emergency storm event in order to comply with FEMA's Private Road Pre-Approval Policy; and

WHEREAS, the City Commission finds it in the best interest of the residents of the City to urge FEMA to change the Private Road Pre-Approval Policy and treat disaster debris removal from private roads that service more than one residential property within communities with Private Rights-of-Way in the same manner as public roads for the purpose of FEMA reimbursement for disaster debris removal costs.

NOW THEREFORE BE IT RESOLVED BY THE CITY OF MARGATE, FLORIDA:

**Section 1:** The foregoing recitals contained in the preamble to this Resolution are incorporated by reference herein.

**Section 2:** The City Commission urges FEMA to change the

Private Road Pre-Approval Policy and treat disaster debris removal from private roads that service more than one residential property within communities with Private Rights-of Way in the same manner as public roads for the purpose of FEMA reimbursement for disaster debris removal costs.

**Section 3:** The City Clerk is directed to distribute this Resolution to the Florida Congressional Delegation, FEMA, the United States Conference of Mayors, the Florida Division of Emergency Management, the Florida League of Cities, the Broward Legislative Delegation, the Broward County Board of County Commissioners, the Broward League of Cities, and each of the municipalities of Broward County.

**Section 4:** The appropriate City officials are authorized to take any necessary action to effectuate the intent of this Resolution.

**Section 5:** All Resolutions or parts of Resolutions in conflict herewith, be and the same are repealed to the extent of such conflict.

**Section 6:** If any section, sentence, clause or phrase of this Resolution is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Resolution.

**Section 7:** This Resolution shall become effective immediately upon its passage.

PASSED, ADOPTED AND APPROVED THIS 31<sup>ST</sup> DAY OF JANUARY, 2018.

ATTEST:

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JOSEPH J. KAVANAGH  
CITY CLERK

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MAYOR ARLENE R. SCHWARTZ

RECORD OF VOTE

Peerman	_____
Simone	_____
Ruzzano	_____
Caggiano	_____
Schwartz	_____