



Legislation Details (With Text)

File #: 18-2132 **Name:** ORDINANCE NO. 2018-05 (POST DISASTER DEBRIS RECOVERY)

Type: Code Amendments

In control: Village Council

On agenda: 6/12/2018 **Final action:**

Title: ORDINANCE NO. 2018-05 (POST DISASTER DEBRIS RECOVERY)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES BY CREATING NEW ARTICLE IX, SECTIONS 2-362 THROUGH 2-363 PROVIDING FOR POST DISASTER DEBRIS RECOVERY; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Code sections:

Attachments: 1. 1. Ord. 2018-05 Post Disaster Debris Recovery, 2. 2. Hold Harmless - Right of Entry

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

ITEM: ORDINANCE NO. 2018-05 (POST DISASTER DEBRIS RECOVERY)

AN ORDINANCE OF WELLINGTON, FLORIDA'S COUNCIL AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES BY CREATING NEW ARTICLE IX, SECTIONS 2-362 THROUGH 2-363 PROVIDING FOR POST DISASTER DEBRIS RECOVERY; PROVIDING FOR A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

REQUEST: Consideration and adoption on second reading of Ordinance No. 2018-05 providing for post disaster debris recovery as part of Wellington's Disaster Debris Management Plan.

EXPLANATION: During the days following Hurricane Irma in 2017, Wellington was faced with the task of cleaning up the debris left in the wake of the storm. Much of this debris was located in private communities whose roadways are private. In order to allow Wellington to handle debris pickup in private communities, a Right of Entry agreement is required from all private communities in order to allow private property debris removal by the Village. Associated costs are reimbursable through the Federal Emergency Management Agency (FEMA) subject to federal funding.

To streamline this effort going forward, we are proposing the adoption of the attached Ordinance and associated Right of Entry Agreement. By having these agreements signed in advance of hurricane season and prior to any storm event, we have the ability to conduct debris cleanup in private communities. The execution of these agreements does not require Wellington to conduct debris cleanup in private communities. However, if FEMA determines that removal from private property is necessary in the event of a disaster declaration and meets certain specific criteria, an executed Right of Entry Agreement would provide for the

necessary authorization.

BUDGET AMENDMENT REQUIRED: NO

PUBLIC HEARING: YES **QUASI-JUDICIAL:** NO

FIRST READING: NO **SECOND READING:** YES

LEGAL SUFFICIENCY: YES

FISCAL IMPACT: The cost of debris removal in private communities is eligible for reimbursement through the Federal Emergency Management Agency (FEMA) subject to federal funding. There is no net fiscal impact.

WELLINGTON FUNDAMENTAL: Responsive Government

RECOMMENDATION: Consideration and adoption on second reading of Ordinance No. 2018-05 providing for post disaster debris recovery as part of Wellington's Disaster Debris Management Plan.