

**ITEM #51<sub>(2)</sub>**

**ADDITIONAL MATERIAL**  
**Public Hearing**

**MARCH 31, 2020**

**SUBMITTED AT THE REQUEST OF**  
**VICE MAYOR STEVE GELLER**

1 (h) Property owners are encouraged to consider approaches and materials that  
2 enhance the biological value of traditional (flat surface) seawalls and flood barriers with  
3 the incorporation of living shoreline features, use of hybrid green-grey materials, and the  
4 use of biological forms, where practicable.

5 (i) This section shall not be construed to require the installation of a seawall  
6 where other flood protection measures serve as an equally effective tidal flood barrier.

7 (j) Tidal flood barriers capable of automatically being elevated in advance of  
8 high tides to prevent tidal flooding are permissible, provided that automation cannot  
9 require daily human intervention.

10 **Sec. 39-408. Required disclosure in contracts for sale of real estate.**

11 In any contract for the sale of real estate located in tidally influenced areas of  
12 Broward County executed after December 31, 2020, the seller shall include in the contract  
13 or a rider to the contract the following disclosure in not less than ten-point, capitalized,  
14 bold-faced type:

15 **THIS REAL ESTATE IS LOCATED IN A TIDALLY INFLUENCED AREA. THE**  
16 **OWNER MAY BE REQUIRED BY COUNTY OR MUNICIPAL ORDINANCE TO MEET**  
17 **MINIMUM TIDAL FLOOD BARRIER ELEVATION STANDARDS DURING**  
18 **CONSTRUCTION OR SUBSTANTIAL REPAIR OR SUBSTANTIAL REHABILITATION**  
19 **OF SEAWALLS, BANKS, BERMS, AND SIMILAR INFRASTRUCTURE OR WHEN**  
20 **REQUIRED TO ABATE NUISANCE FLOODING.**

21 Section 2. Severability.

22 If any portion of this Ordinance is determined by any court to be invalid, the invalid  
23 portion will be stricken, and such striking will not affect the validity of the remainder of this  
24 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in  
underscored type are additions.