

COUNCIL ACTION FORM

SUBJECT: TEXT AMENDMENT TO THE FLOOD PLAIN ORDINANCE

BACKGROUND:

Staff is proposing a text amendment to the City's flood plain regulations, as contained in Municipal Code Chapter 9, to ensure continued compliance with the National Flood Insurance Program (NFIP) regulations. This minor change is required when the Federal Emergency Management Agency (FEMA) periodically updates the community's Flood Boundary Map and Flood Insurance Rate Maps (FIRM) to reflect any topographical changes that affected the flood plain. The new FIRM maps for Story County and the City of Ames were provided by FEMA in October 2007.

FEMA has imposed a mandatory date of February 20, 2008, for adoption of these maps as a condition for Ames' continued participation in and coverage under the National Flood Insurance Program (NFIP). However, FEMA requires all changes to be entered into its database 30 days prior to that date. If not, the community's name will be included in the Federal Register Notice listing communities that have not adopted the new map. Therefore, suspension of the rules for adoption of an ordinance is being requested so as to ensure the City's continued compliance with the federal regulations.

ALTERNATIVES:

1. The City Council can approve a text amendment to the flood plain regulations, suspend the rules necessary for the adoption of an ordinance, and adopt the Ordinance, which would allow for the City's continued compliance with FEMA regulations.
2. The City Council can deny the text amendment to the Flood Plain Ordinance, and the City of Ames will no longer be eligible for flood insurance.

MANAGER'S RECOMMENDED ACTION:

Due to local topographic formations and waterways, it is imperative that the City continue participation in the National Flood Insurance Program. Therefore, it is the recommendation of the City Manager that the City Council approve Alternative No. 1, approving the proposed text amendment to the Flood Plain Ordinance and adopting the ordinance, which will ensure continued compliance with FEMA regulations.

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE OF THE CITY OF AMES, IOWA, BY REPEALING SUBSECTION 9.2 (2), AND ENACTING NEW SUBSECTION 9.2 (2) THEREOF, FOR THE PURPOSE OF ESTABLISHMENT OF OFFICIAL FLOOD PLAIN ZONING MAP; REPEALING ANY AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT TO THE EXTENT OF SUCH CONFLICT; PROVIDING A PENALTY; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ENACTED, by the City Council for the City of Ames, Iowa, that:

Section One. The Municipal Code of the City of Ames, Iowa shall be and the same is hereby amended by repealing Subsection 9.2 (2) and enacting new Subsection 9.2 (2) as follows:

"Sec. 9.2. GENERAL PROVISIONS.

(2) **Establishment of Official Flood Plain Zoning Map.** The Story County, Iowa and Incorporated Areas Flood Insurance Rate Map (FIRM), City of Ames Panels 140, 141, 142, 143, 144, 161, 162, 163, 164, 168, 170, 256, 257, and 276, dated February 20, 2008, prepared as part of the Federal Emergency Management Agency (FEMA) Federal Insurance Rate Map (FIRM), Federal Insurance Administration, Revised Flood Insurance Study, Teagarden Area Watershed, are hereby adopted by reference and declared to be the official Flood Plain Zoning Map."

Section Two. Violation of the provisions of this ordinance shall constitute a municipal infraction punishable by a penalty of \$500 for a first violation and \$750 for each repeat violation.

Section Three. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent of such conflict, if any.

Section Four. This ordinance shall be in full force and effect from and after its passage and publication as required by law.

Passed this _____ day of _____, _____.

Diane R. Voss, City Clerk
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Ann H. Campbell, Mayor