

ORDINANCE NO. 389

**AN ORDINANCE AMENDING THE EARLHAM CODE OF ORDINANCES,
CHAPTER 165.49 FLOODPLAIN MANAGEMENT**

Be It Enacted by the City Council of the City of Earlham, Iowa:

SECTION 1. Amend Chapter 165.49 (3) *Establishment of Floodplain Overlay District* by deleting the second sentence in its entirety and replace with the following in lieu thereof:

The Floodplain Overlay District boundaries shall be as shown on the Flood Insurance Rate Maps for Madison County and Incorporated Areas, City of Earlham, Panels 19121C0025D, 0050D, 0125D, 0150D, dated June 21, 2017.

SECTION 2. Amend Chapter 165.49 (4) *Standards for Floodplain Overlay District* by deleting the second sentence in its entirety and replace with the following in lieu thereof:

Where 100-year flood elevations and floodway data have not been provided on the Flood Insurance Rate Maps, the Iowa Department of Natural Resources shall be contacted to compute such data.

SECTION 3. Amend Chapter 165.49 (4) K *Accessory Structures* by deleting the sub-section in its entirety and replace with the following in lieu thereof:

- K. Accessory Structures to Residential Uses. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.
- (1) The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
 - (2) The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
 - (3) The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 - (4) The structure shall be firmly anchored to resist flotation, collapse and lateral movement.
 - (5) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
 - (6) The structure's walls shall include openings that satisfy the provisions of Chapter 165.49 (4) D of this Ordinance.

Exemption from the 100-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

SECTION 3. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not effect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 4. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the City Council of Earlham, Iowa, the 10th day of April, 2017.

Jeff Lillie, Mayor

ATTEST: _____
Mary Sue Hibbs, Clerk/Treasurer

First Reading:
Second Reading:
Third Reading:

<u>Member</u>	<u>1st Reading</u>	<u>2nd Reading</u>	<u>3rd Reading and Final Passage</u>
Fredericksen			
Griswold			
Petersen			
Royster			
Swalla			

I certify that the foregoing Ordinance No 389 was published on the ____ day of _____, 2016.

Mary Sue Hibbs, City Clerk