

**ORDINANCE 03-01, SERIES 2017**

**AN ORDINANCE AMENDING TOWN ORDINANCE 8, SERIES 2012 PROVIDING FOR THE PREVENTION OF FLOOD DAMAGE THROUGH ADOPTION OF PRINCIPLES PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY**

WHEREAS, the Legislature of the State of Colorado has, in Title 29, Article 20 of the Colorado Revised Statutes, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses, and to promote the public health, safety and general welfare of citizens, and

WHEREAS, the flood hazard areas of The Town of Jamestown are subject to periodic inundation, which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the health, safety and general welfare of the public, and

WHEREAS, these flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage, and

WHEREAS, the Town Board of Trustees have adopted Ordinance 8, Series 2012, *AN ORDINANCE PROVIDING FOR THE PREVENTION OF FLOOD DAMAGE THROUGH ADOPTION OF PRINCIPLES PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY* on November 5, 2012, and which became effective on December 4, 2013, and

WHEREAS, the Town Board of Trustees have adopted Ordinance 5, Series 2014, *AN EMERGENCY ORDINANCE AMENDING ORDINANCE 8, SERIES 2012 PROVIDING FOR THE PREVENTION OF FLOOD DAMAGE THROUGH ADOPTION OF PRINCIPLES PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY* on January 5, 2014, and which became effective immediately, and Ordinance 02-01, Series 2016 *AN EMERGENCY ORDINANCE AMENDING TOWN ORDINANCE 8, SERIES 2012 PROVIDING FOR THE PREVENTION OF FLOOD DAMAGE THROUGH ADOPTION OF PRINCIPLES PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY* on March 7, 2016, and which became effective immediately, which both amended language from Ordinance 8, Series 2012;

WHEREAS, based on the information and data provided in the Town's 2016 request for a letter of Map Revision (LOMR), the Federal Emergency Management Agency (FEMA) has determined that a revision to the flood hazards depicted in the Flood Insurance Study (FIS) report and/or National Flood Insurance Program (NFIP) map is warranted for James Creek, Little James Creek, and the James Creek Ward Street Overflow, and

WHEREAS, the Federal Emergency Management Agency has provided documentation of the revision and the effective NFIP map as of February 23, 2017 and the Town now needs to update its floodplain ordinance to apply the new maps.

**THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF JAMESTOWN, COLORADO:**

**Section 1. Applicability:** the following sections of Ordinance 8, Series 2012 are revised as follows. Articles, sections or parts not specifically listed below are intended to remain in effect:

Article III – Section B. Basis for Establishing the Special Flood Hazard Area: (entire Section to read as follows) The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in a Letter of Map Revision, dated October 7, 2016 and effective February 23, 2017, based on information from the request for LOMR prepared by AECOM in 2016, with accompanying Flood Insurance Rate Maps (FIRMs) and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of this ordinance and may be supplemented by studies designated and approved by the Town of Jamestown. The Floodplain Administrator shall keep a copy of the Flood Insurance Study (FIS), Digital Flood Insurance Rate Maps (DFIRMs), FIRMs and/or Flood Boundary and Floodway Maps (FBFMs) on file and available for public inspection.

Section 2. Repeal: All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are repealed to the extent of such inconsistency or conflict including Ordinance 5, Series 2014 and Ordinance 02-01, Series 2016.

Section 3. Severability: If any portion of this ordinance is held to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this ordinance. The board of Trustees hereby declare that it would have passed this ordinance and each part thereof irrespective of the fact that any one part be declared invalid.

INTRODUCED, READ, ADOPTED, APPROVED, SIGNED AND ORDERED PUBLISHED BY TITLE THIS  
13<sup>th</sup> DAY OF March, 2017.

ATTEST:

  
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Kristi Rutledge, Town Clerk pro tem  
Chris Droste

APPROVED:

  
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Tara Schoedinger, Mayor