

ORDINANCE NO. 711

AN ORDINANCE AMENDING CHAPTER 160 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH REGARDING FLOOD PLAIN REGULATIONS.

WHEREAS, the City of West Branch participates in the National Flood Insurance Program in order to allow its citizens and businesses to obtain flood insurance policies; and

WHEREAS, in order to participate, the City previously adopted Chapter 160 of the Code of Ordinances; and

WHEREAS, in order to continue participation in the program, the Iowa Department of Natural Resources has requested that the City adopt certain changes to said Chapter 160.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of West Branch, Cedar County, Iowa:

1. Amendment. Chapter 160 of the Code of Ordinances is hereby amended as follows:
 - a. Section 160.02 is hereby amended by incorporating the following definitions into said Section 160.02:

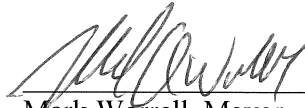
”Minor Projects means small development activities, except for filling, grading and excavating valued at less than \$500; and
 - b. Section 160.03 is hereby amended by deleting Section 160.03 in its entirety, and replacing it as follows:

“The provisions of this Ordinance shall apply to all lands and uses which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Cedar County and Incorporated Areas, City of West Branch, Panels 19031C0211C, 0212C, 0213 and 0214C, dated August 19, 2013, which were prepared as part of the Cedar County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the 100-year flood shall be considered as having significant flood hazards. Where uncertainty exists with respect to the precise location of the 100-year flood boundary, the located shall be determined on the basis of the 100-year flood elevation at the particular site in question. The Flood Insurance Study for Cedar County is hereby adopted by references and is made a part of this Ordinance for the purpose of administering floodplain management regulations.”; and
 - c. Section 160.08(3) is hereby amended by deleting the reference to “National Geodetic Vertical Datum” and replacing it with “North American Vertical Datum; and
 - d. Section 160.08(9) is hereby amended by incorporating the following sentence at the end of this subsection:

“In addition, such alterations and relocations must be approved by the Department of Natural Resources.”; and

- e. Section 160.10 is hereby amended by deleting said Section 160.10 in its entirety; and
 - f. Section 160.11(3) and 160.11(4) are hereby amended by deleting references to the “National Geodetic Vertical Datum” and replacing said references with “North American Vertical Datum”; and
 - g. Section 160.13(5) is hereby amended by deleting the reference to “National Geodetic Vertical Datum” and replacing it with “North American Vertical Datum.”
2. Conflicts. All ordinances or parts of ordinances that are in conflict with this ordinance are hereby repealed.
 3. Adjudication. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section or provision thereof not adjudged invalid or unconstitutional.
 4. Effective Date. This ordinance shall be in full force in effect upon passage of this ordinance and publication as required by law.

First Reading: April 15, 2013
Second Reading: May 6, 2013
Third Reading: May 20, 2013



Mark Worrell, Mayor

ATTEST:



Matt Muckler, City Administrator/Clerk