

COUNCIL BILL NO. 2006-115

ORDINANCE NO. 2006-032

AN ORDINANCE amending Article XI. Floodplain Management., Sections 26-651. Statutory authorization, findings of fact, and purposes. And 26-652. General Provisions. of Chapter 26 Building and Building Regulations of the Code of Ordinances of the City of Joplin, Missouri, by repealing Section 26-651 (b) (3) a. and enacting a new Section 26-651 (b) (3) a. in lieu thereof; and by repealing Section 26-652 (a) and enacting a new Section 26-652 (a) in lieu thereof; specifying the date of the valid Federal Insurance Administrator's FIS and the date of the valid flood insurance rate map (FIRM), respectively; and containing an emergency clause. WHEREAS, the Federal Emergency Management Agency has issued a new Flood Insurance Study (FIS) of the City of Joplin; and,

WHEREAS, to participate in the National Flood Insurance Program (NFIP), the City of Joplin must comply with 44 Code of Federal Regulations (CFR) Section 60.3(d) by approving certain Flood Insurance Rate Maps; and,

WHEREAS, the City of Joplin may be suspended from the NFIP should the city ordinance setting forth the Flood Insurance Rate Maps not be amended by March 16, 2006, which would endanger property should a flood event occur; and,

WHEREAS, it is necessary to repeal Section 26-651 (b) (3) a., and Section 26-652 (a) of the Joplin City Code and enact a new Section 26-651 (b) (3) a., and Section 26-652 (a) of the Joplin City Code, in lieu thereof, so that the City Code is consistent with 44 Code of Federal Regulations (CFR) Section 60.3(d).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That Article XI. Floodplain Management of Chapter 26. Buildings and Building regulations, be amended by repealing Section 26-651 (b) (3) a., of the Joplin City Code, and enacting a new Section 26-651 (b) (3) a., of the Joplin City Code in lieu thereof, to read as follows:

“Sec. 26—651. (b) (3) a.

a. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this article is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this article. It is

AMENDED

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in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's FIS, and illustrative materials dated March 16, 2006 for Jasper County and May 2, 2002 for Newton County as amended, and any future revisions thereto.

Section 2. That Article XI. Floodplain Management of Chapter 26. Buildings and Building Regulation be amended by repealing, Section 26-652 (a) *Lands to which this article applies.*, of the Joplin City Code, and enacting a new Section 26-652 (a), *Lands to which this article applies.*, of the Joplin City Code in lieu thereof, to read as follows:

“Sec. 26—652. (a)

(a) *Lands to which this article applies.* This article shall apply to all lands within the jurisdiction of the city identified as numbered and unnumbered A zones and AE zones, on the flood insurance rate map (FIRM) index panel 29097CIND1A dated March 16, 2006 for Jasper County and index panel 290820IND0 dated May 2, 2002 for Newton County as amended, and any future revisions thereto. In all areas covered by this article, no development shall be permitted except through the issuance of a floodplain development permit, granted by the city council or its duly designated representative under such safeguards and restrictions as the city council or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in section 26-655.”

Section 3. This Ordinance is an emergency within the meaning of Section 2.12 (1) in that said ordinance provides for immediate preservation of the public peace, property, health, safety or morals and is considered an emergency by the Council and as such shall become effective immediately upon this passage as provided by the Home Rule Charter for the City of Joplin.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this 6th day of March, 2006 by a 8-0-1 vote.

Phil G. Stinnett, Mayor

ATTEST:

Barbara L. Hogelin, City Clerk

APPROVED AS TO FORM:

Brian W. Head, City Attorney