



MEMORANDUM

REGULAR CITY COUNCIL MEETING

April 3, 2023, at 7:00 PM

TO: City Council

FROM: Rich LaBombard, City Manager

SUBJECT: Floodplain Ordinance and Flood Insurance Rate Maps – First Reading of Ordinance 01-2023

The National Flood Insurance Program (NFIP) is a voluntary Federal program that enables property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designated to provide an alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods.

The Flood Insurance Study (FIS) Report revises and updates information on the existence and severity of flood hazards for the study area. The studies described in this report developed flood hazard data that will be used to establish actuarial flood insurance rates and to assist communities in efforts to implement sound floodplain management. In some states or communities, floodplain management criteria or regulations may exist that are more restrictive than the minimum Federal requirements. The last Flood Insurance Rate Map (FIRM) for the Douglas area was issued on February 1, 1980.

The following ordinance is intended to designate an enforcing agency to discharge the responsibility of the City of the Village of Douglas located in Allegan County, Michigan and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

Upon adoption, the City of the Village of Douglas will ordain the City's building official (Michigan Township Services of Allegan), of the City of the Village of Douglas will hereby be designated as the enforcing agency to discharge the responsibility of the City of the Village of Douglas under Act 230.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled "Flood Insurance Study for Allegan County, All Jurisdictions" and dated June 21, 2023, and the Flood Insurance Rate Maps (FIRMs) panel numbers included on Index Panel 26005CIND0A, effective June 21, 2023, shall be adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

If another ordinance contains standards inconsistent with the provisions of this ordinance, the most restrictive standards shall apply.

Discussion Item - First Reading of Ordinance 01-2023

Ordinance procedure:

- Notice of Publication – On March 23, 2023, the notice of public hearing for Ordinance 01-2023 was published in a newspaper of general circulation for no less than 15 days. The notice announced the time and place of the public hearing at the City Council meeting held at Douglas City Hall on May 1, 2023 at 7:00 p.m.
- Reading Requirements – Ordinances require two readings. An ordinance must be read aloud or considered by the local governing body, either in full or by title. The first reading of Ordinance 01-2023 will be on April 17, 2023. The second reading of the Ordinance 01-2023 will be on May 1, 2023.
- Public Hearing – Following the second reading, the City Council will motion to open a public hearing on the topic to gather information from the public. Once all public comments are provided, the public hearing will be closed.
- Adoption – Following City Council discussion, a motion may be made to adopt the ordinance. A majority vote of elected members of the governing body is required to formally adopt.
- Effective Date – The adopted ordinance will take effect 20 days after publication in a local newspaper of general circulation.