

**TOWN OF JOHNSTOWN, COLORADO**

**ORDINANCE NO. 2020-192**

**AN ORDINANCE AMENDING SECTION 17-263(b) OF ARTICLE XIV OF CHAPTER 17 OF THE JOHNSTOWN MUNICIPAL CODE CONCERNING SPECIAL FLOOD HAZARD AREAS**

**WHEREAS**, the Town of Johnstown, Colorado is a municipal corporation duly organized and existing under its Home Rule Charter adopted pursuant to Article XX of the Constitution of the State of Colorado; and

**WHEREAS**, the Town Council is vested with authority to administer the affairs of the Town; and

**WHEREAS**, Article XIV of Chapter 17 of the Johnstown Municipal Code regulates flood damage prevention; and

**WHEREAS**, based on updated scientific and engineering reports and flood insurance studies, the Federal Emergency Management Agency has identified the special flood hazard areas in Larimer County and Weld County; and

**WHEREAS**, the Town Council desires to amend Section 17-263(b) of Article XIV of Chapter 17 of the Johnstown Municipal Code to incorporate the the designated special flood hazard areas identified by the flood insurance studies and the attendant mapping as the minimum 100-year floodplain area in the Town; and

**WHEREAS**, Town Council hereby finds, determines and declares that this Ordinance is promulgated under the general police power of the Town, that it is promulgated for the preservation of the public health, welfare, peace, safety and property and that this Ordinance is in the best interests of the citizens of the Town.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JOHNSTOWN, COLORADO, AS FOLLOWS:**

**Section 1.** Subsection 17-263(b) of Article XIV of Chapter 17 of the Johnstown Municipal Code shall be repealed and readopted to read as follows:

**Sec. 17-263. General provisions.**

(b) Basis for establishing the Special Flood Hazard Area. The Special Flood Hazard Areas identified by the Federal Emergency Management Agency in scientific and engineering reports entitled “The Flood Insurance Study for Larimer County, Colorado and Incorporated Areas,” dated January 15, 2021, and, “The Flood Insurance Study for Weld County, Colorado and Incorporated Areas,” dated January 20, 2016, with accompanying Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) and any revisions thereto, are hereby adopted by reference and declared to be a part of this Article. The Special Flood Hazard

Areas identified by the flood insurance studies and attendant mapping are the minimum area of applicability of this Article and may be supplemented by studies designated and approved by the Town Council. The Floodplain Administrator shall keep a copy of the Flood Insurance Studies (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

**Section 2. Severability.** If any part or provision of this Ordinance, or its application to any person or circumstance, is adjudged to be invalid or unenforceable, the invalidity or unenforceability of such part, provision, or application shall not affect any of the remaining parts, provisions or applications of this Ordinance that can be given effect without the invalid provision, part or application, and to this end the provisions and parts of this Ordinance are declared to be severable.

**Section 3. Publication; Effective Date.** This Ordinance, after its passage on final reading, shall be numbered, recorded, published and posted as required by the Town's Home Rule Charter and the adoption, posting and publication shall be authenticated by the signature of the Mayor and the Town Clerk and by the Certificate of Publication. This Ordinance shall become effective upon final passage as provided by the Home Rule Charter of the Town of Johnstown, Colorado. Copies of the entire Ordinance are available at the office of the Town Clerk.

**INTRODUCED, AND APPROVED** on first reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2020.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor

**PASSED UPON FINAL APPROVAL AND ADOPTED** on second reading by the Town Council of the Town of Johnstown, Colorado, this \_\_\_\_ day of \_\_\_\_\_, 2021.

**TOWN OF JOHNSTOWN, COLORADO**

**ATTEST:**

By: \_\_\_\_\_  
Diana Seele, Town Clerk

By: \_\_\_\_\_  
Gary Lebsack, Mayor