

ORDINANCE NO. 2026-15
AMENDING CHAPTER 14

**AN ORDINANCE AMENDING CHAPTER 14, FLOODS, OF THE CODE OF
ORDINANCES OF THE CITY OF KING, NORTH CAROLINA, TO REPEAL AND
REENACT ARTICLE II, FLOOD DAMAGE PREVENTION ORDINANCE, IN ITS
ENTIRETY, IN ORDER TO ADOPT UPDATED FLOODPLAIN MANAGEMENT
REGULATIONS CONSISTENT WITH THE MARCH 2026 NORTH CAROLINA
STATE MODEL NON-COASTAL FLOOD DAMAGE PREVENTION ORDINANCE
AND APPLICABLE FEDERAL AND STATE LAW**

WHEREAS, the City of King (the “City”) is a participating community in the National Flood Insurance Program (“NFIP”), and the continued availability of federally-backed flood insurance to owners of property within the City and its extraterritorial jurisdiction depends upon the City's maintenance of floodplain management regulations that meet or exceed the minimum standards established by the Federal Emergency Management Agency (“FEMA”) under 44 C.F.R. Part 60; and

WHEREAS, the North Carolina Division of Emergency Management, acting as the State NFIP Coordinator, has issued a revised statewide model ordinance, the North Carolina State Model Non-Coastal Flood Damage Prevention Ordinance (March 2026), reflecting updated minimum floodplain management standards, and has recommended that participating communities, including the City, update their local flood damage prevention ordinances to remain consistent with that model and in good standing under the NFIP; and

WHEREAS, the North Carolina General Assembly's 2021 recodification of local development regulation authority into Chapter 160D of the North Carolina General Statutes has rendered obsolete certain statutory citations in the City's existing Flood Damage Prevention Ordinance, which was originally enacted November 7, 1988, and has since been amended, but has not been comprehensively updated to reflect Chapter 160D, current FEMA minimum criteria, or the March 2026 State Model; and

WHEREAS, the City Council has caused to be prepared, and has reviewed, a comprehensive revision of Chapter 14, Article II of the Code of Ordinances (the “2026 Revision”), adapting the March 2026 State Model to the City's existing Chapter 14 numbering and organizational structure, a true and correct copy of which is attached hereto as Exhibit A and incorporated herein by reference; and

WHEREAS, the Legislature of the State of North Carolina has, in Part 6 of Article 21 of Chapter 143, Article 8 of Chapter 160A, Articles 1, 7, 9, and 11 of Chapter 160D, and G.S. 160A-174(a) of the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations, including floodplain management regulations, designed to promote the public health, safety, and general welfare; and

WHEREAS, the 2026 Revision set forth in Exhibit A comes forward in part by re-enactment of provisions of the City's existing Flood Damage Prevention Ordinance, and it is not the intention of the City Council to repeal, but rather to re-enact and continue without interruption the enforcement of such

existing provisions, so that all rights and liabilities that have accrued thereunder are preserved and may be enforced, as further provided in Section 14-126 of Exhibit A; and

WHEREAS, the City Council finds that adoption of the 2026 Revision is necessary to protect the public health, safety, and general welfare of the City's residents, to minimize public and private losses due to flooding, to maintain the City's eligibility and good standing in the National Flood Insurance Program, and to bring the City's floodplain management regulations into conformity with current federal and state law.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of King, North Carolina, that:

Section 1. Chapter 14, Article II, "Flood Damage Prevention Ordinance," of the Code of Ordinances of the City of King, North Carolina, is hereby repealed in its entirety and reenacted to read as set forth in Exhibit A, attached hereto and incorporated herein by reference (new ordinance provisions shown in Exhibit A as the operative text of Chapter 14, Article II).

Section 2. Except as expressly amended, repealed, and reenacted by Section 1 of this ordinance and Exhibit A, Chapter 14, Article I (Secs. 14-1—14-30, Reserved), and all other Chapters and provisions of the Code of Ordinances of the City of King, shall remain in full force and effect.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance, including Exhibit A, is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

Section 4. This ordinance shall become effective September 8, 2026.

ADOPTED this ____ day of _____, 2026.

CITY COUNCIL OF THE CITY OF KING, NORTH CAROLINA

By: _____

[NAME], Mayor

ATTEST:

[NAME], City Clerk