

ORDINANCE NO. 02-2021

AN ORDINANCE AMENDING ORDINANCE NO. 01-2017 TO ADOPT UPDATED FLOOD INSURANCE RATE MAPS

WHEREAS, the Town of Sedgwick is a statutory town organized under and pursuant to the laws of the State of Colorado and has authority pursuant to state law, including Title 31, Article 23, and Title 29, Article 20, Colorado Revised Statutes, to adopt floodplain regulations; and

WHEREAS, as part of the Town's participation in the National Flood Insurance Program, the Town is required pursuant to state and federal regulation to incorporate certain floodplain provisions in its municipal ordinances; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has issued a final determination adopting an updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) for Sedgwick County, Colorado with an effective date of May 18, 2021; and

WHEREAS, the Board of Trustees previously adopted Ordinance No. 01-2017, which sets limits on development in designated flood zones and describes procedures for approval of such development; and

WHEREAS, the Board of Trustees has determined that Ordinance No. 01-2017 must be amended to incorporate the new FIS/FIRM; and

WHEREAS, the amendments to Ordinance No. 01-2017 enacted by this ordinance meet state and federal requirement, and will improve safety for persons and property in the Town.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF SEDGWICK, COLORADO:

Section 1. Section 11.06.2 of Town of Sedgwick Ordinance No. 01-2017 is hereby repealed and reenacted to read as follows:

11.06.02 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREA.

The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Sedgwick County, Colorado and Incorporated Areas," (FIS) dated May 18, 2021 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 Section. These Special Flood Hazard Areas identified by the FIS and attendant mapping are the minimum area of applicability of this Section and may be supplemented by studies designated and approved by the Board of Trustees. The Floodplain Administrator shall keep a copy of the FIS, DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.


Section 2. If any section, paragraph, sentence, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have passed this ordinance and each part or parts hereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

Section 3. All other ordinances or portions thereof inconsistent or conflicting with this ordinance or any portion hereof are hereby repealed to the extent of such inconsistency or conflict.

Section 4. The repeal or modification of any provision of the ordinances of the Town of Sedgwick by this ordinance shall not release, extinguish, alter, modify, or change in whole or in part any penalty, forfeiture, or liability, either civil or criminal, which shall have been incurred under such provision, and each provision shall be treated and held as still remaining in force for the purpose of sustaining any and all proper actions, suits, proceedings, and prosecutions for the enforcement of the penalty, forfeiture, or liability, as well as for the purpose of sustaining any judgment, decree, or order which can or may be rendered, entered, or made in such actions, suits, proceedings, or prosecutions.


INTRODUCED, READ, ADOPTED, APPROVED, AND ORDERED PUBLISHED BY
TITLE ONLY this 8th day of March, 2021.

TOWN OF SEDGWICK, COLORADO



Wayne Price, Mayor

ATTEST:



Heather Moore, Town Clerk



