

ORDINANCE NO.

FILE OF CITY COUNCIL

BILL NO. 8 - 2023

FEBRUARY 15, 2023

AN ORDINANCE

Amending the Part Two General Legislation, Chapter 298 Flood Control, Article VIII Existing Structures in Identified Floodplain Areas, Section 38 Improvements, Part E by repealing it in its entirety.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALLENTOWN:

SECTION ONE: That Section 38 Improvements Part E be repealed.

§ 298-38 **Improvements.**

The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:

E. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of less than 50% of its market value shall be elevated and/or floodproofed to the greatest extent possible.

SECTION TWO: That this Ordinance will take effect ten (10) days after final passage.

SECTION THREE: That all Ordinances inconsistent with the above provisions are repealed to the extent of their inconsistency.

- What department or bureau is this bill originating from? Where did the initiative for the bill originate?

Community & Economic Development: Planning/Zoning.

Amendment for the removal of a 298-38 E from the Flood Control Ordinance

- Summary and facts of the bill.

298-38 E is higher standard that is not a part of the FEMA 44 CFR Part 60 National Flood Insurance Program (NFIP) regulations. The regulation refers to improvements on existing structures. The language of the regulation is vague:

Any modification, alteration, reconstruction, or improvement of any kind to an existing structure to an extent or amount of less than 50% of its market value shall be elevated and/or floodproofed to the greatest extent possible.

- Purpose – Please include the following in your explanation:

- a. What does the bill do? What are the specific goals or tasks the bill seeks to accomplish?

Because the language of this regulation is vague it is difficult to apply consistently across all projects. Removing it from the Flood Control Ordinance allows the City to be able to apply Flood Control regulations in a more consistent manner across all projects.

- b. What are the benefits of doing this? What are the drawbacks?

It allows the City to be able to apply Flood Control regulations in a more consistent manner across all projects while keeping in compliance 44 CFR Part 60 NFIP regulations.

- c. How does this bill relate to the City's vision/mission/priorities?

It allows the City to be able to apply Flood Control regulations in a more consistent manner across all projects while keeping in compliance with the 44 CFR Part 60 NFIP regulations.

Other, more effective, high standards have been incorporated into the ordinance to further protect the community from flood hazards.

- Financial Impact – Please include the following in your explanation:

- a. Cost (initial and ongoing)

No cost

- b. Benefits (initial and ongoing)

N/A – no cost

- Funding Sources – Please include the following in your explanation:
 - a. If transferring funds, please make sure to give specific account names and numbers. If appropriating funds from a grant, please list the agency awarding the grant.

None

- Priority status – Are there any deadlines to be aware of?

No

- Why should Council unanimously support this bill?

It allows the City to be able to apply Flood Control regulations in a more consistent manner across all projects while keeping in compliance with the 44 CFR Part 60 regulations.