

ORDINANCE NO. 56

AN ORDINANCE RELATING TO FLOOD PLAIN MANAGEMENT

*Complete ordinances
not copied
Rewritten #66
April 1994
N.N.*

THE CITY COUNCIL OF THE CITY OF SHELLY DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT AND PURPOSE

1.1 Statutory Authorization. The Legislature of the State of Minnesota, has, in Minnesota Statutes Chapter 104 and Chapter 462, delegated the responsibility to local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Council of the City of Shelly, Minnesota, does ordain as follows:

1.2 Statement of Purpose. The purpose of this Ordinance is to minimize potential loss due to periodic flooding including loss of life, loss of property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

SECTION 2.0 GENERAL PROVISIONS.

2.1 Lands to Which Ordinance Applies. This Ordinance shall apply to all lands designated as Floodway District and Flood Fringe District within the jurisdiction of the City of Shelly.

2.2 Adoption of Flood Insurance Study. The Flood Insurance Study for the City of Shelly dated ~~August 16, 1974~~ ^{March 8, 1988}, developed by the Office of Federal Insurance and Hazard Mitigation and the Floodway and Flood Boundary and Flood Insurance Rate Maps contained therein are hereby adopted by reference and made part of this Ordinance.

2.3 Regulatory Flood Protection Elevation. The Regulatory Flood Protection Elevation shall be an elevation no lower than one foot above the elevation of the regional flood plus any increases in flood elevation caused by encroachments on the flood plain that result from designation of a floodway.

2.4 Interpretation. The boundaries of the zoning districts shall be determined by scaling distances on the Flood Insurance Study Maps. Where interpretation is needed as to the exact location of the boundaries of a district, the City Council shall make the necessary interpretation based on elevations on the regional (100-year) flood profile and other available technical data.

2.5 Compliance. No structure or land shall hereafter be used and no structure shall be located, extended, converted, or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

2.6 Definitions. Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

Accessory Use or Structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

Flood Fringe - that portion of the flood plain outside of the floodway. Flood fringe is synonymous with the term "floodway fringe" used in the Flood Insurance Study for Shelly.

Flood Plain - the areas adjoining a watercourse which have been or hereafter may be covered by the regional flood.

Flood Proofing - a combination of structural provisions, changes, or adjustments to properties and structures subject to flooding, primarily for the reduction or elimination of flood damages.

Floodway - the channel of the watercourse and those portions of the adjoining flood plain which are reasonably required to carry and discharge the regional flood.

Regional Flood - a flood which is representative of large floods known to have occurred generally in Minnesota and reasonably characteristic of what can be