"A Historic Past" *"A Bright Future"*

CITY OF DELAWARE CITY
407 Clinton Street - P.O. Box 4159
Delaware City, Delaware 19706
302-834-4573

CITY OF DELAWARE CITY
DELAWARE CITY, DELAWARE
ORDINANCE 15-0126-01
Amendment No. 1 to Ordinance No. 14-1117-01

ORDINANCE TO MAKE TECHNICAL CORRECTIONS TO ORDINANCE No. 14-1117-01 RELATING TO FLOODPLAINS

WHEREAS, the Mayor and City Council introduced Ordinance No. 14-1117-01 at a regular meeting on November 17, 2014, to amend the Delaware City Code (the "Code") by repealing and replacing Chapter 48 of the Code relating to floodplains and to add new requirements and procedures (the "Ordinance"); and

WHEREAS, the Ordinance was adopted on December 15, 2014; and

WHEREAS, the Mayor and City Council desire to make technical corrections to the Ordinance; and

NOW THEREFORE, the Mayor and the City Council of the City of Delaware City hereby ordain:

Section 1. Chapter 48, Article II, of the Ordinance, upon an affirmative vote of the Mayor and City Council, is hereby amended and shall read as follows:

New Construction: Buildings and structures for which the "start of construction" commenced on or after February 16, 1977, which was the effective date of the original Flood Plain Ordinance (Number 4010A) adopted by the City of Delaware City, including any subsequent improvements to such structures.

New Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete

pads) is completed on or after February 16, 1977, which was the effective date of the original Flood Plain Ordinance (Number 4010A) adopted by the City of Delaware City.

Section 2. Chapter 48, Article III, Section 48-12, of the Ordinance, upon an affirmative vote of the Mayor and City Council, is hereby corrected and shall read as follows:

> The Floodplain Administrator shall approve applications that comply with the applicable requirements of these regulations. The Floodplain Administrator shall disapprove applications for proposed development that does not comply with the applicable provisions of these regulations and shall notify the applicant of such disapproval, in writing, stating the reasons for disapproval.

Section 3. Chapter 48, Article IV, Section 48-19A, of the Ordinance, upon an affirmative vote of the Mayor and City Council, is hereby corrected and shall read as follows:

> Be designed (or modified) and constructed to safely resist flood loads. The construction shall provide a complete load path capable of transferring all loads from their point of origin through the load-resisting elements to the foundation. Buildings and structures shall be designed, connected and anchored to resist flotation, collapse or permanent lateral movement due to structural loads and stresses from flooding equal to the base flood elevation, including hydrodynamic and hydrostatic loads and the effects of buoyancy.

Section 4. Chapter 48, Article VII, Section 48-31B.1, of the Ordinance, upon an affirmative vote of the Mayor and City Council, is hereby corrected and shall read as follows:

> The bottom of the lowest horizontal structural member supporting the lowest floor (excluding the pilings, pile caps, columns, grade beams, and bracing), shall be located at or above the base flood elevation plus 12 inches.

Section 5. **Inconsistent Ordinances and Resolutions Repealed.** All ordinances or parts of ordinances and all resolutions or parts of resolutions that may be in conflict herewith are hereby repealed.

Section 6. **Effective Date.** This Ordinance shall become effective immediately upon its adoption by a majority vote of the Mayor and City Council.

(Signature Page Follows)

ADOPTED BY THE MAYOR AND COUNCIL, this _____ day of _____, ____.

ATTEST:

_____
City Secretary

_____
Mayor

APPROVED AS TO FORM:

_____
Council Member

_____
City Solicitor

_____
Council Member

_____
Council Member

_____
Council Member

_____
Council Member

First Reading on _____,

Second Reading, Public Hearing, and Final Passage on _____.