

ORDINANCE NO. 1998-1

AN ORDINANCE AMENDING ORDINANCE NO. 1992-15
IN ORDER TO CORRECT MISTAKEN DATE AND OTHER
RECOMMENDED CHANGES

WHEREAS, the Common Council for the City of Charlestown has learned that Ordinance No. 1992-15 contains a mistaken date and other recommended changes and;

WHEREAS, the City wishes to correct such error and make changes;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL FOR THE CITY OF CHARELSTOWN, INDIANA, THAT SECTION 5(D), SECTION 6(B)(1), SECTION 8(A)(2a & b) and SECTION 13 shall be, and is hereby amended to read as follows:

SECTION 5(d): The regulatory flood elevation and floodway limits for the SFHAs of those parts of unincorporated Clark County that are within the extraterritorial jurisdiction of the City or that may be annexed into the City shall be a delineated on the 100 year flood profiles in the Flood Insurance Study of Clark County dated March, 1980 and the corresponding FBFM dated September 30, 1980 prepared by the Federal Emergency Management Agency.

SECTION 6(b)(1): If the site is in an identified floodway the Zoning Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Department of Natural Resources and apply for a permit for construction in a floodway.

Under the provisions of IC 14-28-1 a permit from the Natural Resources Commission is required prior to the issuance of a local building permit for any excavation, deposit, construction or obstruction activity located in the floodway. This includeds land preparation activities such as filling, grading, clearing and paving etc. undertaken before the actual start of construction of the building.

No action shall be taken by the Zoning Administrator until a permit has been issued by the Natural Resources Commission granting approval for construction in the floodway. Once a permit has been issued by the Natural Resources Commission, the Zoning Administrator may issue the local Improvement Location Permit, provided the provision contained in Sections 7 and 8 of this ordinance have been met. The Improvement Location Permit cannot be less restrictive than the permit issued by the Natural Resources Commission.

SECTION 8(a)(2.) structural alterations made to:

(a) an existing (previously unaltered) building, the cost of which equals or exceeds 50% of the value of the pre-altered building (excluding the value of the land);

(b) any previously altered building:

SECTION 13. ABROGATION AND GREATER RESTRICTIONS.

This ordinance repeals and replaces other ordinances adopted by the Town Council to fulfill the requirements of the National Flood Insurance Program, including Ordinance F-1983-1. However, this ordinance does not repeal the original resolution or ordinance adopted to achieve eligibility in the Program. Nor does this ordinance repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where this ordinance and other ordinance easements, covenants, or deed restrictions conflict or overlap, whichever imposes the more stringent restrictions shall take precedence. In addition, the (City Council/Town Board/County Commissioners) shall assure that all National Flood Insurance Program regulations and laws (310IAC6-1-1, IC 14-28-1 and IC 14-28-3) are met.

All other provisions of Ordinance No. 1992-15 which are not in conflict herewith shall remain in full force and effect.

Adopted by the Common Council for the City of Charlestown, Indiana, on this the 2nd day of MARCH, 1998.

COMMON COUNCIL:

Ed Bolly
ED BOLLY

Bruce M. Bottorff
BRUCE BOTTORFF

Michael Tony Jackson
TONY JACKSON

Jerry Pierce
TERRY PIERCE

Ward Tackett
WARD TACKETT

Approved by Mayor Braswell on this the 2nd day of MARCH, 1998.

Mayor Bob Braswell
BOB BRASWELL, MAYOR

ATTEST:

Sharon Barnes
SHARON BARNES, CLERK-TREASURER