

CITY OF DAYTON, KENTUCKY ORDINANCE NO. 2021#7

AN ORDINANCE AMENDING SECTION 152.07 OF THE CITY OF DAYTON CODE OF ORDINANCES TO UPDATE THE FLOOD DAMAGE PREVENTION ORDINANCE BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S RECENTLY COMPLETED REVISION TO THE COUNTYWIDE FLOOD INSURANCE STUDY REPORT AND FLOOD INSURANCE RATE MAP FOR THE CITY OF DAYTON AND OTHER INCORPORATED AND UNINCORPORATED AREAS OF CAMPBELL COUNTY,

WHEREAS the City of Dayton, Campbell County, Kentucky, previously established a Flood Damage Prevention Ordinance within the City of Dayton; and

WHEREAS all ordinances and part of ordinances in conflict herewith, to the extent of such conflict only, are hereby repealed; and

WHEREAS this ordinance shall be in full force and effect from and after its adoption, re-adoption, and publication as required by law; and

WHEREAS, as it pertains to the Department of Homeland Security's Federal Emergency Management Agency's (FEMA) recently completed revision to the countywide Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) for Campbell County, Kentucky, and incorporated areas, that the floodplain management ordinances reflect the new FIRM, effective date of August 10, 2021.

NOW, THEREFORE, the City of Dayton hereby ordains that the Flood Damage Prevention Ordinance for the City of Dayton shall be amended as follows:

Section 1

§152.07 BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the Flood Insurance Study (FIS) for Campbell County, ~~dated September 30, 2004 and revised March 03, 2014~~ revised on August 10, 2021, with the accompanying Flood Insurance Rate Maps (FIRMs), as amended by Federal Emergency Management Agency (FEMA) ~~Letter of Map Revision (LOMR) dated July 31, 2007~~, with other supporting data and any subsequent amendments thereto are adopted by reference and declared to be a part of these regulations by the City of Dayton, and for those land areas acquired by the City of Dayton through annexation. This FIS and attendant mapping is constitute the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the City Council by the Floodplain Administrator and are enacted by City Council pursuant to statutes governing land use management regulations. The FIS and/or FIRMs are permanent records of the City of Dayton and are on file and available for review by the public during regular business hours at the ~~City of Dayton at 514 Sixth Avenue, Dayton, KY~~ Dayton City Building.

Section 2 – Unconstitutionality; Conflicting Ordinances Repealed

If any clause, sentence, or phrase of the ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then this holding shall not affect the validity of the ordinance as a whole, or any portion thereof other than the section so declared to be unconstitutional or invalid. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict

Section 3 – Effective Date

This Ordinance shall become effective upon its approval, adoption, and publication according to law. This Ordinance may be published in summary.

First Reading: June 1, 2021

Second Reading: *JUNE 15, 2021*

CITY OF DAYTON, KENTUCKY

By: _____



Mayor Ben Baker

ATTEST:



Donna Leger, City Clerk