

CITY OF PRINCETON ORDINANCE NO. 160

ORDINANCE AMENDING THE CITY OF PRINCETON ORDINANCE
WITH RESPECT TO FLOOD PLAIN REGULATIONS

BE IT ORDAINED by the City Council of the City of Princeton, Iowa:

160.00 STATUTORY AUTHORITY, FINDINGS OF FACT

- A. The Legislature of the State of Iowa has in Chapter 414, Code of Iowa, as amended, delegated the power to cities to enact zoning regulations to secure safety from flood and to promote health and the general welfare.
- B. Findings of Fact
1. The flood hazard areas of the City of Princeton are subject to periodic inundation which can result in loss of life and 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 of the community.
 2. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
 3. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.

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

19. “Minor Projects” means small development activities (except for filling, grading and excavating) valued at less than \$500.

24. “Routine Maintenance of Existing Buildings and Facilities” means repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;

B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;

C. Basement sealing;

D. Repairing or replacing damaged or broken window panes;

E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

28. “Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50% (FIFTY PERCENT) of the market value of the structure before the damage occurred. “Substantial damage” also means flood-related damages sustained by a structure on two separate occasions during a 10 year period for which the cost of

repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

160.03 LANDS TO WHICH CHAPTER APPLIES. The areas within the jurisdiction of the City of Princeton having special flood hazards are hereby designated as a Floodplain (Overlay) District and shall be subject to the standards of the Floodplain (Overlay) District (as well as those for the underlying zoning district). The Floodplain (Overlay) District boundaries shall be as shown on the Flood Insurance Rate Map (FIRM) for Scott County and Incorporated Areas, City of Princeton, Panels 19163C0253F, 0261F, 0262F, 0265F, dated February 18, 2011. The flood profiles and all explanatory material contained with the Flood Insurance Study are also declared to be a part of this ordinance.

160.09 SEVERABILITY. If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

160.11 FLOODWAY (OVERLAY) DISTRICT - FW.

2. Conditional Uses. The following uses which involve structures (temporary or permanent), fill, storage of materials or equipment, excavation or alteration of a watercourse may be permitted only upon issuance of a conditional use permit by the Board of Adjustment as provided for in **Section 160.21**. Such uses must also meet the applicable provisions of the Floodway District Performance Standards.

G. Other uses similar in nature to uses described in **Section 160.11(1) or (2)** which are consistent with the provisions of **Section 160.11(3)** and the general spirit and purpose of this chapter.

160.24 PENALTIES FOR VIOLATIONS. Violations of the provisions of this Ordinance or failure to comply with any of the requirements (including violations of conditions and safeguards established in connection with grants of Conditional Uses or Variances) shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00 (FIVE HUNDRED) or imprisoned for not more than 30 (THIRTY) days. Each day such violation continues shall be considered a separate offense. Nothing herein contained prevent the City of Princeton from taking such other lawful action as is necessary to prevent or remedy violation.

PASSED AND APPROVED this 14th day of October, 2010.

CITY OF PRINCETON

By _____
Mayor Keith Youngers

ATTEST:

AJ Grunder, City Clerk