

Legal Publication:

Summary of the Harpers Ferry Floodplain Management Ordinance 323.

Notice is hereby given of the final passage of Ordinance No. 323 at a Special Meeting of the City Council of the City of Harpers Ferry, Iowa on September 3, 2020 and which will become effective as of the date of this publication. A summary of the ordinance is as follows:

The title of the ordinance is: "AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HAPERS FERRY, IOWA, BY AMENDING PROVISIONS PERTAINING TO FLOODPLAIN MANAGEMENT. The Floodplain Management Ordinance (hereby referred to as the "Ordinance") can be inspected and viewed in its entirety at the Harpers Ferry City Hall, 238 N. 4th. St, Harpers Ferry, IA during regular business hours (8:00am – 3:00 pm) M-F.

The purpose of this Ordinance is to protect and preserve the rights, privileges and property of the City and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in the Ordinance.

The provisions of this Ordinance shall apply to all lands and development which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Allamakee County and Incorporated Areas, City of Harpers Ferry, Panels 19005C0408C and 0409C, dated September 18, 2020, which were prepared as part of the Allamakee County Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards.. Where uncertainty exists with respect to the precise location of the base flood boundary, the location shall be determined on the basis of the base flood elevation at the particular site in question. The Flood Insurance Study for the County of Allamakee County is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

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 chapter and other applicable regulations which apply to uses within the jurisdiction of this chapter.

It is not intended by this chapter to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter shall prevail. All other ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only.

The provisions of this chapter shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

The standards required by this chapter are considered reasonable for regulatory purposes. This chapter does not imply that areas outside the designated special flood hazard areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the City or

any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

A Floodplain Development Permit issued by the Administrator (the City Clerk) shall be secured prior to any floodplain development (any manmade change to improved and unimproved real estate within any special flood hazard area, including but not limited to buildings or other structures, mining, filling, grading, paving, excavation or drilling operations), including the placement of factory-built homes.

Violations of the provisions of this chapter or failure to comply with any of the requirements shall constitute a municipal infraction. Any person who violates this chapter or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$500.00. Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy violation.

This ordinance shall be in effect from and after its final passage, approval, and publication as provided by law.