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ORDINANCE NO. 93 - 1  
AN ORDINANCE FOR THE TEMPORARY USE  
OF REPLACEMENT COST IN LIEU OF  
MARKET VALUE FOR CALCULATING  
SUBSTANTIAL DAMAGE

WHEREAS, THE VILLAGE OF HAMBURG, CALHOUN COUNTY, ILLINOIS has experienced major flooding of a catastrophic nature and subsequent loss of property and is covered under the Presidential Disaster Declaration (DR 997).

WHEREAS, THE VILLAGE OF HAMBURG, CALHOUN COUNTY, ILLINOIS, has adopted floodplain management regulations to reduce future flood losses pursuant to the Illinois Municipal Code (65 IL Compiled Statutes 5/1-2-1, 5/11-30-8 and 5/11-31-2), and is a participating community in the National Flood Insurance Program (NFIP) and must maintain in force those regulations as a condition of continued NFIP participation.

WHEREAS, current National Flood Insurance Program (NFIP) Standards required the Village of HAMBURG, Calhoun County, Illinois to use 50% of a building's market value before the damage as the threshold for applying local floodplain management requirements for any building that is substantially damaged in Special Flood Hazard Areas.

WHEREAS, the Federal Insurance Administration, has interpreted the National Flood Insurance Program requirements to allow the use of replacement cost in lieu of market value in this particular post-catastrophic disaster setting in the market.

WHEREAS, the use of replacement cost, which is the cost of replacing a structure of like kind using pre-flood costs for labor and materials, can be readily determined and is an effective means for identifying substantially damaged buildings.

WHEREAS, due to the catastrophic nature of the flood disaster, the use of replacement cost may be in the best interest of the VILLAGE OF HAMBURG, CALHOUN COUNTY, ILLINOIS, for the protection of the public health, safety, and general welfare.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF HAMBURG, CALHOUN COUNTY, ILLINOIS, THAT SECTION 7 AN ORDINANCE REGULATING DEVELOPMENT IN FLOODPLAIN AREAS WITHIN THE VILLAGE OF HAMBURG, ILLINOIS, passed and approved by the Board of Trustees *1984* be amended to add the following:

SECTION I -- PROVISION TO BE ADDED

- ii (a) Replacement cost in lieu of market value shall be used only for determining substantial damage of those buildings in Special Flood Hazard Areas that were damaged directly as a result of the flood event which occurred between April 13, 1993 and September 7, 1993. The use of replacement cost cannot be used for determining whether or not a building is being substantially improved by reasons other than substantial damages which occurred as a result of this flood event.

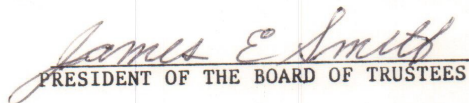
*Flood Ordinance + amendment*

- iii (a) Replacement cost in lieu of market value shall be used only for determining substantial damage of those buildings in Special Flood Hazard Areas that were damaged directly as a result of the flood event which occurred between April 13, 1993 and September 7, 1993. The use of replacement cost cannot be used for determining whether or not a building is being substantially improved by reasons other than substantial damages which occurred as a result of this flood event.
- iii (b) If the work described in any floodplain development permit shall not have been begun within one hundred eighty (180) days from the date of issuance thereof in accordance with this ordinance said permit shall expire and be cancelled by the Building Inspector who shall give written notice of such cancellation to the applicant for such permit.
- iii (c) The provision of this Ordinance allowing the temporary use of replacement cost in lieu of market value shall expire on December 31, 1993.

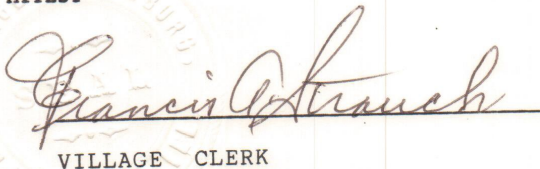
SECTION II THAT this ordinance shall be in full force and effect from and after its passage, approval, and publication.

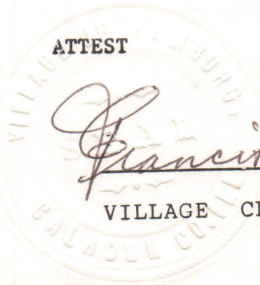
SECTION III THAT the Village Clerk shall forward a duly certified copy of this Ordinance to (1) David Schein, Federal Emergency Management Agency, Region V -- 4th Floor, 175 W. Jackson Blvd., Chicago, IL 60604, (2) Paul Osman, 3215 Executive Park Drive, Springfield, IL 62794, Illinois Department of Transportation, Division of Water Resources, and (3) Calhoun County Building Inspector.

PASSED AND APPROVED by the President and Board of Trustees of the Village of HAMBURG, Calhoun County, Illinois, this 8th day of September, 1993.

  
PRESIDENT OF THE BOARD OF TRUSTEES

ATTEST

  
VILLAGE CLERK



STATE OF ILLINOIS )  
COUNTY OF CALHOUN )  
VILLAGE OF HAMBURG )

*Francis Krauch*  
I, *Francis Krauch* Village Clerk of the Village of Hamburg, Illinois, do hereby certify that the above is a full true and correct copy of Ordinance No. 93-1 entitled "ORDINANCE NO. 93-1 AN ORDINANCE FOR THE TEMPORARY USE OF REPLACEMENT COSTS IN LIEU OF MARKET VALUE FOR CALCULATING SUBSTANTIAL DAMAGE." passed and approved by the President and Board of Trustees of the Village of Hamburg, Illinois at a regular meeting thereof held at the Village Hall, Hamburg, Illinois on the 8th day of September, 1993.

Given under my hand and village seal this 8th day of September, 1993.

*Francis Krauch*

Village Clerk

Published by posting in 3 of the most public places in the Village of Hamburg, Illinois, to-wit:

1. *Village Hall*
2. *Post Office*
3. *Manis Beauty Shop*

on the 13<sup>th</sup> day of September, 1993.

*Francis Krauch*

Village Clerk