

Town of Marble  
Ordinance Number 4  
Series of 2013

AN ORDINANCE ADOPTING FLOODPLAIN MANAGEMENT REGULATIONS AND  
INCORPORATING THE FLOOD INSURANCE STUDY FOR GUNNISON COUNTY,  
COLORADO AND INCORPORATED AREAS, DATED MAY 16, 2013

WHEREAS:


- A. The Town of Marble (the "Town") is a statutory town organized pursuant to Colorado Law; C.R.S. §31-1-101 *et seq.*;
- B. The Town is a participant in the National Flood Insurance Program ("NFIP"), which makes flood insurance available in flood hazard areas within the Town according to published rates set forth in Flood Insurance Rate Maps ("FIRMs") that take into account Flood Insurance Study ("FIS") reports and Base Flood Elevations ("BFEs") determined and periodically modified by the Department of Homeland Security's Federal Emergency Management Agency ("FEMA");
- C. In order for the Town to participate in the NFIP, the Town must adopt and enforce floodplain management regulations that meet or exceed the minimum NFIP standards and requirements. These standards are intended to prevent loss of life and property, as well as economic and social hardships that result from flooding;
- D. The State of Colorado adopted higher standards for floodplain management, which are outlined in the Rules and Regulations for Regulatory Floodplains in Colorado (the "Rules"), effective January 14, 2011;
- E. The Rules are the effective minimum standards for the State of Colorado and communities have three years from January 14, 2011 to adopt a local ordinance consistent with the Rules;
- F. The Town of Marble Floodplain Management Regulations attached hereto as Exhibit A (the "Floodplain Management Regulations") are adapted from Colorado Water Conservation Board model ordinance, which in turn was adapted from the FEMA model ordinance and incorporates the minimum standards of the State of Colorado contained in the Rules;
- G. The Town desires to replace any and all existing floodplain management regulations with the attached Floodplain Management Regulations.
- H. FEMA has developed a new FIS titled Flood Insurance Study for Gunnison County, Colorado and Incorporated Areas, dated May 16, 2013, which includes a new FIRM for the Town of Marble;
- I. The Town is required to adopt said new FIS and FIRM in order to remain eligible for participation in the NFIP;
- J. The Floodplain Management Regulations incorporate said new FIS and FIRM;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF MARBLE, COLORADO THAT:

1. The Town's existing floodplain management regulations are hereby superseded in their entirety by the Floodplain Management Regulations attached hereto as Exhibit A.
2. The Town's adoption of the Floodplain Management Regulations expressly includes adoption of the Flood Insurance Study for Gunnison County, Colorado and Incorporated Areas, dated May 16, 2013, which includes a new FIRM for the Town of Marble.
3. The Board of Trustees shall serve as the "Appeal Board," as that term is used in the Floodplain Management Regulations.
4. The Flood Insurance Study for Gunnison County, Colorado and Incorporated Areas, dated May 16, 2013, including the new FIRM for the Town of Marble, are available for public inspection through the Floodplain Administrator.
5. Emergency Certification. It is hereby found and declared by the Town of Marble that flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

INTRODUCED, READ, ADOPTED AND ORDERED PUBLISHED BY TITLE this 15th day of May, 2013 by a vote of 4 in favor and 0 opposed.

TOWN OF MARBLE:

  
Robert Pettijohn, Mayor

ATTEST:

  
Ron Leach, Clerk