ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHAPTER 13, ARTICLE II, § 13-51, (e)(5) OF THE REVISED CODE OF ORDINANCES (1988) OF THE CITY OF LITTLE ROCK, ARKANSAS, TO PROVIDE FOR THE ADOPTION BY REFERENCE OF THE JUNE 7, 2019, FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS TO BE ADMINISTERED BY THE CITY OF LITTLE ROCK AS THE EFFECTIVE MAPS; TO DECLARE AN EMERGENCY; AND FOR OTHER PURPOSES.

WHEREAS, the Federal Emergency Management Agency (FEMA) has identified Special Flood Hazard Areas of the City of Little Rock in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Pulaski County, Arkansas and incorporated areas," dated June 7, 2019 with an effective Flood Insurance Rate Map (FIRM) dated June 7, 2019; and

WHEREAS, these Special Flood Hazard Areas are subject to periodic flooding events that result in loss of life and property, pose health and safety hazards, disrupt commerce and governmental services, and cause extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.

WHEREAS, the City of Little Rock as a participant in the National Flood Insurance Program is required to adopt the new Flood Insurance Rate Maps as a condition of continued participation in the National Flood Insurance Program.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF LITTLE ROCK, ARKANSAS:

Section 1. Chapter 13 of the City of Little Rock Municipal Code of Ordinances, Article II, Section 13-51, (b) (1) is hereby repealed and replaced with the following new provision:

> (1) The Federal Emergency Management Agency (FEMA) has identified special flood hazard areas of the City of Little Rock in the current scientific and engineering report entitled "The Flood Insurance Study (FIS) for Pulaski County, Arkansas and incorporated areas," dated June 7, 2019, with an effective Flood Insurance Rate Map (FIRM) dated June 7, 2019.

Section 2. Chapter 13 of the City of Little Rock Municipal Code of Ordinances, Article II, Section 13-51, (e) (5) is hereby repealed and replaced with the following new provision:

(5) This article regulates the construction of flood barriers which unnaturally divert floodwaters or which may adversely impact other lands. *Flood damage prevention code adopted by reference.* There is hereby adopted by reference a "Flood Damage Prevention Code for the City of Little Rock, Arkansas," dated June 7, 2019. The Code shall include:

Article 1 Definitions;

Article 2 Administration;

Article 3 Provisions for Flood Hazard Reduction.

A copy of the referenced Code shall be filed in the office of the Pulaski County Circuit Clerk and shall be available for inspection and copying during normal business hours.

Section 3. *Severability*. In the event any title, section, paragraph, item, sentence, clause, phrase, or word of this resolution is declared or adjudged to be invalid or unconstitutional, such declaration or adjudication shall not affect the remaining portions of the resolution which shall remain in full force and effect as if the portion so declared or adjudged invalid or unconstitutional was not originally a part of the resolution.

Section 4. *Repealer*. All laws, ordinances, resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency.

Section 5. *Emergency Clause. The ability to maintain a consistent Property Maintenance Code applicable to readily identifiable properties is essential to the public health, safety and welfare; an emergency is, therefore, declared to exist so this ordinance can take effect, and be in full force and effect, from and after* June 7, 2019.

PASSED: May 21, 2019

ATTEST: **APPROVED:**

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Susan Langley, City Clerk   **Frank D. Scott, Jr., Mayor**

APPROVED AS TO LEGAL FORM:

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Thomas M. Carpenter, City Attorney

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