

ORDINANCE NO. 19 - _____

**AN ORDINANCE AMENDING CHAPTER 6 (FLOOD HAZARD AREAS) OF TITLE 5
(BUILDING REGULATIONS) OF THE NAPERVILLE MUNICIPAL CODE**

WHEREAS, it is in the best public interest to regulate land development to preserve environmental quality, and manage natural resources and recreational areas; and preserve natural flood plains as a cost-effective means of protecting against flooding; and

WHEREAS, Chapter 6 of Title 5 of the Naperville Municipal Code regulates and governs land development to lessen and avoid flood hazards and damage in the DuPage County portion of the City of Naperville; and

WHEREAS, on November 19, 1991 the City passed Ordinance 91-227 adopting the DuPage County Stormwater Ordinance and seeking partial waiver status for enforcement of the ordinance; and

WHEREAS, on June 15, 1999 the City passed Ordinance 99-103 amending Chapters 6 and 7 of Title 5 of the Municipal Code establishing a local stormwater detention/retention variance fee program; and

WHEREAS, on July 17, 2012 the City passed Ordinance 12-094 amending the DuPage County Stormwater Ordinance; and

WHEREAS, on June 18, 2013 the City passed Ordinance 13-059 amending the DuPage County Stormwater Ordinance; and

WHEREAS, the Illinois State Water Survey has been working with the Federal Emergency Management Agency to update the flood plain maps for the Chicago suburbs; and

WHEREAS, the flood plain maps will be changing from a municipal limit basis to county wide limits; and

WHEREAS, the new flood plain maps for DuPage County will become effective on August 1, 2019; and

WHEREAS, On May 14, 2019 the DuPage County Board waived the first reading and approved the text amendments to the DuPage County Countywide Stormwater and Floodplain Ordinance to reflect the new maps that will become effective on August 1, 2019; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: Recitals incorporated. The foregoing Recitals are substantive and are incorporated in this Section 1 as though fully set forth.

SECTION 2: Chapter 6 (Flood Hazard Areas), of Title 5 (Building Regulations) of the Naperville Municipal Code is hereby amended by deleting the stricken language and by adding the underlined language as set forth below.

TITLE 5 – BUILDING REGULATIONS

CHAPTER 6 – FLOOD HAZARD AREAS

5-6-1: - FLOOD PLAIN REGULATIONS:

The flood plain regulations for development in special flood hazard areas in the DuPage County portion of the City as contained in the DuPage Countywide Stormwater and Floodplain Ordinance, effective May 14, 2019, as amended from time to time, are hereby adopted by reference. ~~Said regulations are attached to Ordinance 13-059 as Exhibit A and are incorporated herein by reference.~~ Three (3) copies One (1) copy of said regulations, effective August 1, 2019, shall be kept on file for public inspection in the office of the City ~~Engineer~~Clerk.

SECTION 3: The City Engineer shall perform the duties of Administrator for the City.

SECTION 4: The City Clerk is directed to record this Ordinance and its exhibit with the DuPage County Recorder.

SECTION 5: Effective date. This Ordinance shall be in full force and effect from and after its passage, approval and publication as required by law.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph.D.
City Clerk