

ORDINANCE NO. 401

AN ORDINANCE TO ADOPT LAND USES AND CONTROL MEASURES TO REDUCE FLOOD LOSSES.

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF BERTHOUD, LARIMER COUNTY, COLORADO:

Section 1.

WHEREAS, certain areas of the Town are subject to periodic flooding from heavy downpours and subject to possible flooding from streams, rivers and lakes which could cause serious damage to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this Board of Trustees to require the recognition and evaluation of flood hazards in all official actions relating to land use in the flood plain areas having special flood hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to law made and provided.

Section 2.

NOW, THEREFORE, BE IT RESOLVED, that this Board of Trustees hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and

2. Vests the Town Superintendent with the responsibility, authority and means to:

(a) Delineate or assist the Administrator, at his request, in delineating the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of building sites.

(b) Provide such information as the Administrator may request concerning present uses and occupancy of the flood plain area.

(c) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify flood plain areas and cooperate with neighboring communities with respect to management of adjoining flood plain and/or mudslide areas in order to prevent aggravation of existing hazards.

(d) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of flood plain (and/or mudslide area) management measures.

3. Appoints the Town Superintendent to maintain for public inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures located in the special flood hazard areas. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the program.

Section 3.

The Board of Trustees herewith finds, determines and designates that this ordinance is necessary for the immediate preservation of the public peace, health and safety; and whereas in the opinion of the Board of Trustees an emergency exists, this ordinance shall take effect and be in force immediately after its final passage and adoption.

This ordinance was introduced, read, and passed on first reading and ordered published by the Board of Trustees of the Town of Berthoud at its regular meeting held this 10th day of December, 1974.

TOWN OF BERTHOUD:

R.B. Ticek

Mayor

ATTEST

Carol A. Mayo

Town Clerk

Published: 12-19-74
Berthoud Bulletin