

TOWN OF SUPERIOR
ORDINANCE NO. 0-8
SERIES 2019

AN EMERGENCY ORDINANCE OF THE BOARD OF TRUSTEES OF THE
TOWN OF SUPERIOR AMENDING SECTION 15-2-10 OF THE
SUPERIOR MUNICIPAL CODE TO ADOPT UPDATES TO THE FLOOD
INSURANCE RATE MAP

WHEREAS, the Town participates in the National Flood Insurance Program (the "NFIP") and the Federal Emergency Management Agency ("FEMA") has notified the Town that the Town must adopt updates to the Flood Insurance Rate Map ("FIRM");

WHEREAS, Section 15-2-10 of the Superior Municipal Code currently relies on a FIRM dated December 18, 2012;

WHEREAS, pursuant to C.R.S. § 24-65.1-403(3)(b), the Town is expressly prohibited from approving updates to the FIRM until such updates have been approved by the Colorado Water Conservation Board (the "CWCB");

WHEREAS, the CWCB has not approved the updates to the FIRM;

WHEREAS, despite C.R.S. § 24-65.1-403(3)(b), the FEMA Regional Office is requiring the Board to adopt this Ordinance to be effective before August 15, 2019 in order for the Town to maintain flood insurance eligibility for its residents and avoid being sanctioned by the NFIP; and

WHEREAS, the Board of Trustees finds it in the best interest of the public health, safety, and welfare to amend the Superior Municipal Code to adopt the updates to the FIRM as required by FEMA.

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

Section 1. Section 15-2-10 of the Superior Municipal Code is hereby amended as follows:

Sec. 15-2-10. Establishment of SFHAs.

The SFHAs identified by FEMA in a scientific and engineering report entitled "The Flood Insurance Study for Boulder County, Colorado and Incorporated Areas, dated ~~December 18, 2012~~ August 15, 2019," with accompanying FIRMs and any revisions thereto, are hereby adopted by reference. The Floodplain

Administrator shall keep a copy of the FIS, DFIRMs, FIRMs and FBFMs on file and available for public inspection.

Section 2. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one or part or parts be declared unconstitutional or invalid.

Section 3. Safety. This Ordinance is deemed necessary for the protection of the health, welfare and safety of the community.

Section 4. Emergency Declaration. The Board of Trustees hereby finds and determines that it is necessary to adopt this Ordinance as an emergency, because if this Ordinance were adopted as a non-emergency, the Town would be sanctioned by the NFIP and the Town's residents would no longer qualify for flood insurance.


Section 5. Effective Date. This Ordinance shall take effect immediately upon adoption.

INTRODUCED, READ, PASSED AND ORDERED PUBLISHED this 12th day of August, 2019.



Clint Folsom, Mayor

ATTEST:



Phyllis L. Hardin, Town Clerk-Treasurer