

Flood Damage Prevention Ordinance

1.0 - Statutory Authorization

The Indiana Legislature has by State Legislature dealing with planning and zoning granted the power to local units of government to control land use within their jurisdiction.

Therefore the Board of Trustees of the Town of Georgetown does ordain as follows:

2.0 - Statement of Purpose

The development of the flood hazard areas of the Town of Georgetown could result in the potential loss of life and property, create health and safety hazards and lead to extraordinary public expenditures for flood protection and relief. Since development of these areas is not essential to the orderly growth of the community and since these lands are suitable for open space uses that do not require structures or fill, the Board of Trustees of the Town of Georgetown does ordain as follows:

3.0 - Definitions

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

Development - any man-made change to improved or unimproved real estate including, but not limited to, buildings and other structures, mining, dredging, filling, grading, paving, excavation or drilling operations,

Flood Plain - means any flood plain, floodway or floodway fringe district or combination thereof as illustrated on the Flood Boundary and Floodway Map as prepared by the Federal Insurance Administration.

Natural Resources - means the Indiana Natural Resources Commission.

Regulatory Flood - means that flood having a peak discharge which can be expected to be equaled or exceeded on the average of once in a one-hundred year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. This flood is equivalent to a flood having the probability of occurrence of one percent in any given year.

Structure - anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, detached garages, cabins, mobile homes, and other similar items.

4.0 - Basis For Establishing Flood Plain Districts

The flood plain districts (areas subject to inundation by the regulatory flood) as identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City of \_\_\_\_\_" dated \_\_\_\_\_ 19\_\_\_\_, with the accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps along with any subsequent revisions to the text or maps are hereby adopted by reference and declared to be a part of this ordinance, The Flood Insurance Study is on file at the Office of the Clerk/Treasurer.

5.0 - Designation and Duties of the Administrator

The Building Commission for the Town of Georgetown is appointed to review all development and subdivision proposals to insure compliance with this ordinance.

6.0 - All development except the following use permitted by right shall be prohibited within Flood Plain Districts as established in Section 3.0. The following uses have a low flood damage potential and do not obstruct flood flows. These uses shall be permitted by right within the Flood Plain District to the extent that they are now prohibited by any other ordinance and provided they do not require structures, fill, or storage of materials or equipment.

6.1 Agricultural uses such as general farming, pasture grazing, orchards, plant nurseries, and vineyards.

6.2 Forestry, wildlife areas and nature preserves.

6.3 Parks and recreational uses, such as golf courses, driving ranges and play areas.

7.0 - Non-conforming Uses

Any building, structure or use of land in the Flood Plain District which is not in conformance with this ordinance constitutes a non-conforming use.

All applications to repair, extend or enlarge a non-conforming use shall be forwarded to Natural Resources for review and comment. All terms and conditions imposed by Natural Resources shall be incorporated into the issuance of any local permit.

8.0 - Variances

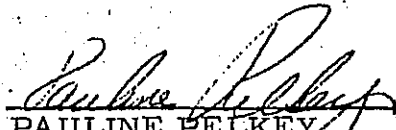
Applications for variances to the provisions of this ordinance shall be forwarded to Natural Resources for review and comment. All terms and conditions imposed by Natural Resources shall be incorporated into the issuance of any local permit.

9.0 - Disclaimer

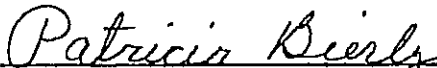
Larger floods can and will occur on rare occasions. Therefore, this ordinance does not create any liability on the part of the community, Natural Resources, or the State of Indiana for any damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

This ordinance to be in full force and effect on and after September 29, 1981.

Passed on final reading this 28 day of September 29, 1981 by the Town Board of the Town of Georgetown, Indiana.

  
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PAULINE PELKEY  
President, Town Board of Georgetown

ATTEST:

  
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PATRICIA BIERLY, Town Clerk