

**CHARTER TOWNSHIP OF HAMPTON ORDINANCE NO. 35-1
HAMPTON CHARTER TOWNSHIP FLOOD DAMAGE PREVENTION ORDINANCE**

An Ordinance to amend Township Ordinance No. 35; to adopt by reference the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) issued by the Federal Emergency Management Agency effective June 18, 1996; to adopt by reference rules promulgated by the National Flood Insurance Act of 1968, as amended, being 44 CFR §60.3(c); and to delete reference to Charter Township Hampton Zoning Ordinance of 1971 (Ordinance No. 17) as amended, adopting by reference, Hampton Charter Township Zoning Ordinance No. 36A.

THE BOARD OF TRUSTEES OF THE CHARTER TOWNSHIP OF HAMPTON
BAY COUNTY, MICHIGAN, ORDAIN:

That Ordinance No. 35, Flood Damage Prevention Ordinance, is hereby amended to read as follows:

Article I, Section 1.1, Short Title

This Ordinance shall be known as the "Flood Damage Prevention Ordinance, 35-1".

Article I, Section 1.5, Administration

Section 1.5 is hereby amended by deleting reference to "Charter Township of Hampton Zoning Ordinance of 1971 (Ordinance No. 17), as amended" substituting in its place, "Hampton Charter Township Zoning Ordinance, No. 36A."

Section 1.5 shall hereafter read as follows: "The provisions of this Ordinance shall be administered by the Charter Township of Hampton Zoning Board of Appeals and Building Inspector in accordance with the National Flood Insurance Act of 1968, and pursuant to the provisions of the Charter Township of Hampton Zoning Ordinance, No. 36A, as amended."

Article II, Section 2.2, Rules Applying to Text and Definitions

Section 2.2 is hereby amended to incorporate by reference the Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) issued by the Federal Emergency Management Agency (FEMA) effective June 18, 1996.

Section 2.2(e) shall hereafter read as follows: "'Development' means any man-made change to improved or unimproved real

estate, including but not limited to buildings or other structures, mining, dredging, filling, grating, paving, excavation or drilling operations or storage of equipment or materials."

Section 2.2(h) shall hereafter read as follows: "'Flood' or 'Flooding' means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or runoff of surface waters from any source; and/or
- ~~(3) The collapse or subsidence of land along the shore of a lake or other body of water as a result of undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as a flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding."~~

Section 2.2(j) shall hereafter read as follows: "'Flood Insurance Rate Map' (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. This amendment hereby incorporates the FIS issued by the Federal Emergency Management Agency (FEMA) effective June 18, 1996."

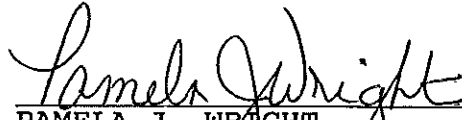
Section 2.2(k) shall hereafter read as follows: "'Flood Insurance Study' is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Insurance Rate Map and the water surface elevation of the base flood. This amendment hereby incorporates the FIS issued by the Federal Emergency Management Agency (FEMA) effective June 18, 1996."

Article VI, Base Flood Elevation Standards

Section 6.1(2) is hereby amended and shall hereafter read as follows: "The most recent base flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources and this ordinance shall further incorporate by reference 44 CFR §60.3(c) except in such instances in which the provisions of Ordinance No. 35 or any other state or local requirement is of a more stringent standard.

Article XVI - Effective date

This ordinance shall become effective immediately upon publication following adoption. A certified copy of this ordinance shall be delivered to Program Specialist, FEMA, Mitigation Division, 175 West Jackson Boulevard, Fourth Floor, Chicago, Illinois, 60604. A copy of this ordinance shall be published in a newspaper circulated within the Charter Township of Hampton, Bay County, Michigan, within 10 days following the adoption thereof.



PAMELA J. WRIGHT
Hampton Township Clerk