

ORDINANCE NO. 2019-08

AN ORDINANCE ADOPTED FOR THE PURPOSE OF REVISING SECTION 14-608 OF THE CITY OF FAYETTEVILLE, TENNESSEE MUNICIPAL ZONING ORDINANCE REGULATING DEVELOPMENT WITHIN THE CORPORATE LIMITS OF CITY OF FAYETTEVILLE, TENNESSEE, TO MINIMIZE DANGER TO LIFE AND PROPERTY DUE TO FLOODING, AND TO MAINTAIN ELIGIBILITY FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.

WHEREAS, the Section 14-608 of the Municipal Zoning Code of the City of Fayetteville exists to govern floodway and flood fringe district; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has developed and issued new provisions governing floodplain districts; and

WHEREAS, a need exists for revision of the existing floodplain provisions contained in Section 14-607 of such ordinance; and

WHEREAS, the Fayetteville Municipal Planning Commission has reviewed and recommended the adoption of the proposed revised floodplain; and

WHEREAS, the Board of Mayor and Aldermen hereby acknowledges the need to REVISE Section 14-608 to address issues not addressed in the existing version of Section 14-608, for the good of the citizens of the City of Fayetteville.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FAYETTEVILLE, TENNESSEE, THAT:

Existing Section 14-608 of the Municipal Zoning Code of the City of Fayetteville shall be revised as follows:

1. Paragraph 2 (“Basis for Establishing the Areas of Special Flood Hazard”) of Section 14-608.3 (“General Provisions”), shall be revised to read as follows:

The Areas of Special Flood Hazard identified on the City of Fayetteville, Tennessee, as identified by FEMA, and in its Flood Insurance Study (FIS) dated November 18, 2016 and Flood Insurance Rate Map (FIRM), Community 470105, Panel Numbers 47103C0161D, 47103C0162D, 47103C0163D, 47103C0164D, 47103C0166D, 47103C0167D, 47103C0168D, 47103C0169D, 47103C0277D and 47103C0281D dated September 19, 2007, along with all supporting technical data, are adopted by reference and declared to be a part of this Ordinance.

2. Paragraph 2 (“Permit Procedures”) of Section 14-608.4 (“Administration”) shall be supplemented the the addition of the following subparagraph:

c. Finished Construction Stage

Upon completion of construction for all new and substantial improvements, the permit holder shall provide to the Administrator an as-built certification of the elevations for the lowest floor, attached garage (top of slab), machinery or equipment servicing the building, the highest adjacent grade, and the lowest adjacent grade or the floodproofing level if floodproofed. Along with the floodproofing certificate, an operation and maintenance plan must be provided. This certification shall be provided prior to the final inspection / issuance of a Certificate of Occupancy.

3. **Subparagraph iii of Paragraph 2 (“Specific Standards”) of Section 14-608.5**

(“Provisions for Flood Hazard Reduction”) shall be revised to read as follows:

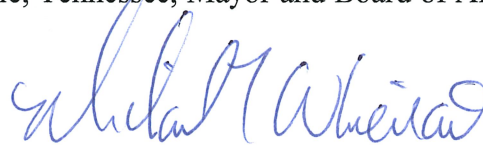
The interior portion of such enclosed area shall not be finished or partitioned into separate rooms in such a way as to impede the movement of floodwaters and all such partitions shall comply with the provisions of Subsection 14-608.5, 2.

4. **Paragraph 7 (“Standards for Areas Protected by Flood Protection System (A-99 Zones)”) of Section 14-608.5 (“Provisions for Flood Hazard Reduction”) shall be revised to read as follows:**

Located within the Areas of Special Flood Hazard established in Subsection 14-608.3, 2, are areas of the 100-year floodplain protected by a flood protection system but where Base Flood Elevations have not been determined. Within these areas (A-99 Zones) all provisions of Subsections 14-608.4 and 14-608.5.

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Approved and adopted by the City of Fayetteville, Tennessee, Mayor and Board of Alderman, on this, the 8th day of October, 2019.



Michael T. Whisenant, Mayor

ATTEST:



Scott Collins, City Clerk