

20.06.09/02



Nice Matters!

Town of Emerald Isle
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Emerald Isle, NC 28594

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Mayor
Eddie Barber

Mayor Pro-Tem
Floyd Messer, Jr.

Board of Commissioners
Candace Dooley
Steve Finch
Jim Normile
Maripat Wright

Town Manager
Frank A. Rush, Jr.
frush@emeraldisle-nc.org



**ORDINANCE AMENDING CHAPTER 1 – GENERAL PROVISIONS –
OF THE UNIFIED DEVELOPMENT ORDINANCE IN ORDER TO COMPLY WITH THE
FLOODPLAIN MANAGEMENT REQUIREMENTS AS DEFINED IN THE TITLE 44 OF THE CODE
OF FEDERAL REGULATIONS SECTION 60.3**

WHEREAS, the Board of Commissioners adopted a flood damage prevention ordinance on July 1, 1977, and over time these regulations have were adopted into the Town of Emerald Isle Unified Development Ordinance, and

WHEREAS, the Board of Commissioners of the Town of Emerald Isle on its own motion or by petition may amend, supplement, change or repeal the flood damage prevention regulations as found in the Unified Development Ordinance, and

WHEREAS, the Town of Emerald Isle is required to have flood damage prevention regulations that meet or exceeds the floodplain management requirements as defined in the Title 44 of the Code of Federal Regulations Section 60.3 in order to remain in good standing with the National Flood Insurance Program, and

WHEREAS, provisions of the Town of Emerald Isle's flood damage prevention regulations enacted on July 1, 1977 , including all revisions therein since are now desired to be amended in an effort to meet and/or exceed those floodplain management requirements defined in the Title 44 of the Code of Federal Regulations Section 60.3,

NOW, THEREFORE, BE IT RESOLVED by the Emerald Isle Board of Commissioners that

1. **Chapter 1, "General Provisions", Section 1.3 "Authority"**, of the Unified Development Ordinance is hereby amended to read as follows:

1.3 – AUTHORITY

The Legislature of the State of North Carolina has in Part 6, Article 21 of Chapter 143; Article 6 of Chapter 153A; Article 8 of Chapter 160A; and Article 7,9, and 11 of Chapter 160D (Effective January 1, 2021) of the North Carolina General Statutes, delegated to local governmental units the authority to adopt regulations designed to promote the public health, safety, and general welfare.

Therefore, the Board of Commissioners of the Town of Emerald Isle, North Carolina, does ordain as follows:

2. The Board of Commissioners has determined that the above amendment is consistent with the Town of Emerald Isle's 2017 CAMA Land Use Plan, as amended.
3. The Board of Commissioners has determined that the above amendment is both reasonable and in the public interest for the following reasons:
 - Are necessary to protect the life and property of the citizens of the Town of Emerald Isle
 - Are necessary to comply with the standards set forth in Title 44 of the Code of Federal Regulations Section 60.3 in order to remain in good standing with the National Flood Insurance Program
 - Are necessary to keep the current 15% flood insurance rate reduction received by all flood policy holders within the Town of Emerald Isle

4. The Town Clerk is authorized to amend the sections as set forth above.
5. This ordinance shall become effective immediately upon its adoption. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Adopted this the 9th day of June, 2020, by a vote of
Commissioner(s) Dooley, Finch, Messer, Normile, Taylor voting for,
Commissioner(s) _____ voting against, and
Commissioner(s) _____ absent.


Eddie Barber, Mayor

ATTEST:


Rhonda Ferebee, Town Clerk