

**CITY OF GLADSTONE, DELTA COUNTY
ORDINANCE NO. 2023-626**

**AN ORDINANCE TO AMEND ARTICLE VI FLOOD DAMAGE PREVENTION
DIVISION 2 ADMINISTRATION AND ENFORCEMENT OF THE CITY OF
GLADSTONE CODE OF ORDINANCES BY REVISING CHAPTER 30 LAND
DEVELOPMENT REGULATIONS TO ADDRESS FLOODPLAIN MANAGEMENT
PROVISIONS OF THE STATE CONSTRUCTION CODE**

The City of Gladstone ordains and is hereby ordained by the authority of the same as follows:

Section 1: The City of Gladstone ordains that Sec. 30-291 of Article VI, Division 2 is amended as follows:

Sec. 30-291. - ~~Building inspector.~~

- ~~(a) The building inspector, or such person appointed by the city manager, is appointed to administer and implement the provisions of this article.~~
- ~~(b) Duties of the building inspector shall include, but not be limited to:~~
- ~~(1) Review all development permits to assure that the permit requirements of this article have been satisfied.~~
 - ~~(2) Review permits for proposed development to assure that all permits have been obtained from the federal, state or local governmental agencies from which prior approval is required.~~
 - ~~(3) Notify adjacent communities and the department of natural resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.~~
 - ~~(4) Assure that maintenance is provided within the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished.~~
 - ~~(5) Verify and record the actual elevation, in relation to mean sea level, of the lowest floor, including basement, of all new or substantially improved structures.~~
 - ~~(6) Verify and record the actual elevation, in relation to mean sea level, to which the new or substantially improved structures have been floodproofed.~~
 - ~~(7) Obtain certification from a registered professional engineer or architect when floodproofing is utilized for a particular structure.~~
 - ~~(8) Make the necessary interpretation where interpretation is needed as to the exact location of the boundaries of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this section.~~
 - ~~(9) Obtain, review, and reasonably utilize any base flood elevation data available from a federal, state or other source in order to administer the provisions of division 3 of this article when base flood elevation data has not been provided in accordance with section 30-267.~~
 - ~~(10) Maintain all records pertaining to the provisions of this article in the office of the building inspector and such records shall be open for public inspection.~~

~~(Code 1976, §§ 153.20, 153.21)~~

~~**Cross reference**—Administration, ch. 2.~~

~~**Cross reference**—Officers and employees, § 2-61 et seq.~~

AGENCY DESIGNATED.

Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the Community Development Department is hereby designated as the enforcing agency to discharge the responsibility of the City of Gladstone under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of Gladstone assumes responsibility for the administration and enforcement of said Act through out the corporate limits of the community adopting this ordinance.

Section 2: The City of Gladstone ordains that Sec. 30-267 of Article VI, Division 1 is amended as follows:

Sec. 30-267. - Basis for establishing the areas of special flood hazard.

~~The areas of special flood hazard identified by the Federal Insurance Administration through a scientific and engineering report entitled "The Flood Insurance Study for the City of Gladstone," dated July 8, 1976, with accompanying flood insurance rate maps and flood boundary and floodway maps and any revisions thereto are adopted by reference and declared to be a part of this article. The principal map to follow would be the curvilinear line map rather than the blocking map.~~

~~(Code 1976, § 153.11)~~

(a) Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

(b). DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled "[Flood Insurance Study for Delta County, All Jurisdictions](#)" and dated [March 7, 2023](#) and the Flood Insurance Rate Maps (FIRMs) panel numbers included on Index Panels [26041CIND1B and 26041CIND2B, effective March 7, 2023](#) are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Section 3: MOST RESTRICTIVE STANDARDS. If another ordinance contains standards inconsistent with the provisions of this ordinance, the most restrictive standards shall apply.

Section 4. PUBLICATION. This ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing same.

Adopted this _____ (*Date*) day of _____ (*Month*), _____ (*Year*).

This ordinance duly adopted on _____ (*Date*) at a regular meeting of the Gladstone City Commission and will become effective on _____ (*Date*).

Signed on _____ by _____

Kimberly Berry, Clerk of the City of Gladstone

Attested on _____ by _____ Joe

Thompson, *Mayor of the City of Gladstone*.

Introduced: 01/23/2023

Published: UP Action News & www.gladstonemi.org

Public Hearing:

Adopted:

Published:

Effective: