

AN ORDINANCE TO AMEND THE BROWN CITY CODE BY ADDING SECTION 154 TO CHAPTER TITLE XV – LAND USAGE: TO DESIGNATE AN ENFORCING AGENCY TO DISCHARGE THE RESPONSIBILITY OF THE CITY OF BROWN CITY LOCATED IN SANILAC COUNTY, AND TO DESIGNATE REGULATED FLOOD HAZARD AREAS UNDER THE PROVISIONS OF THE STATE CONSTRUCTION CODE ACT, PUBLIC ACT 230 OF 1972, AS AMENDED.

THE CITY OF BROWN CITY ORDAINS:

- Section 154 City of Brown City Floodplain Ordinance.** An Ordinance to amend the Brown City Code by adding Section 154 to Chapter Title XV – Land Usage: To designate an enforcing agency to discharge the responsibility for floodplain management of the City of Brown City located in Sanilac County, and to designate regulated flood hazard areas under the provisions of the state construction code act, Public Act 230 of 1972, as amended.
- Section 154.1 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 City Manager of the City of Brown City and the Sanilac County Department of Construction, Soil Erosion & Sedimentation Control Agency are hereby designated as the enforcing agencies to discharge the responsibility of the City of Brown City under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of Brown City assumes responsibility for the administration and enforcement of said Act through out the corporate limits of the community adopting this ordinance.
- Section 154.2 CODE APPENDIX ENFORCED.** 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 with the City of Brown City.
- Section 154.3 DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.** The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled Sanilac County, Michigan (all jurisdictions) and dated January 6, 2012 and the Flood Insurance Rate Maps (FIRMS) Sanilac County Panel 503 of 595, Number 261331, Panel 26151C0503B and dated January 6, 2012 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 154.4 REPEALS.** All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

Section 154.5 PUBLICATION. This ordinance shall be effective after legal publication and in accordance with the provisions of the Act governing the same.

Section 154.6 Severability. If any portion of this Ordinance or the application thereof to any person is adjudged to be invalid by a court of competent jurisdiction, such determination shall not affect the validity of any other portion of this Ordinance, or the application to any other portion of this Ordinance to any such person or other persons.

Section 154.7 ORDINANCE INCORPORATION. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the City of Brown City, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 154.8 EFFECTIVE DATE OF ORDINANCE: This Ordinance shall take effect 30 days after adoption.

INTRODUCTION:

This Ordinance was introduced by Councilmember Navock on November 14, 2011 during a Regular Meeting of the City Council. The Public Hearing thereon was held on November 28, 2011.

MOTION AND VOTE:

Moved by Councilmember Walters, seconded by Councilmember Miller, to adopt Ordinance Section 154 - An Ordinance to amend the Brown City Code by adding Section 154 to Chapter Title XV – Land Usage: To designate an enforcing agency to discharge the responsibility for floodplain management of the City of Brown City located in Sanilac County, and to designate regulated flood hazard areas under the provisions of the state construction code act, Public Act 230 of 1972, as amended.

Roll Call vote on this Ordinance, five (5) members being present, was as follows:

Yeas: _____	5	Nays: _____	0
Abstaining: _____	0	Absent: _____	1

CERTIFICATION:

I hereby certify that the foregoing constitutes a true and complete copy of Brown City Code Section 154 adopted as an Ordinance by the Brown City Council at a Regular Meeting of the City Council held at the City Hall on the 28th day of November, 2011

I do hereby further certify that the said Brown City Code Section 154 was published as required by the Brown City Charter in *The Banner*, a newspaper published and circulated in the City of Brown City, County of Sanilac, Michigan, on the 5th day of December, 2011.

Witness my official signature this ____ day of December, 2011.

Kelly J. Pavel
City Clerk
City of Brown City
Sanilac County, Michigan