

**ORDINANCE NO. 92640-0114**

**AN ORDINANCE AMENDING CHAPTER FOUR AND FIVE OF TITLE TEN OF THE CITY CODE RELATING TO FLOODPLAIN MANAGEMENT REGULATIONS IN THE CITY OF MUSCATINE, IOWA.**

**WHEREAS**, The Federal Emergency Management Agency (FEMA) has completed a Flood Hazard Determination modifying the Flood Insurance Study and Flood Insurance Rate Map for Muscatine County, including the City of Muscatine which become effective on April 16, 2014; and

**WHEREAS**, In order for City of Muscatine residents and businesses to be able to continue to participate in the National Flood Insurance Program, the City of Muscatine must by April 16<sup>th</sup> incorporated the revised Flood Insurance Rate Map Panels, effective April 16, 2014, with issued as a result of the Flood Hazard Determination into the City of Muscatine Floodplain Management Regulations (Chapter 4 and 5 of Title 10 of the City Code); and

**WHEREAS**, The City of Muscatine in order to ensure that residents will continue to be eligible to participate in the National Flood Insurance Program has prepared an ordinance to Chapter Four and Five of Title Ten that will bring the City's floodplain management regulations into compliance with Title 44 Code of Federal Regulations 60.3; and

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCATINE, IOWA:**

**SECTION 1.** The currently adopted versions of Chapter Four and Chapter Five of Title Ten of the City Code are hereby deleted and Exhibit A as attached hereby to is adopted in lieu thereof.

**SECTION 2.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 3.** Any Ordinance or part thereof in conflict or inconsistent with the provisions of this Ordinance is repealed.

**SECTION 4.** This ordinance shall be in effect from and after April 16, 2014.


PASSED, APPROVED AND ADOPTED this 16<sup>th</sup> day of January 2014.

By the City Council  
Of the City of Muscatine, Iowa

  
DeWayne Hopkins, Mayor



ATTEST:

  
Gregg Mandsager, City Administrator

First Reading: December 19, 2013

Second Reading: January 2, 2014

Third Reading: January 16, 2014

Publication Date: 1-24-14



City Hall, 215 Sycamore St.  
Muscatine, IA 52761-3840  
(563) 262-4141  
Fax (563) 262-4142

**COMMUNITY DEVELOPMENT**

**Planning,  
Zoning,  
Building Safety,  
Construction Inspection Services,  
Public Health,  
Housing Inspections,  
Code Enforcement**

**MEMORANDUM**

**To:** Mayor and City Council Members

**Cc:** Gregg Mandsager, City Administrator

**From:** Andrew Fangman, City Planner

**Date:** December 19, 2013

**Re:** Ordinance Amending Chapter Four and Five of Title Ten of the City Code, Floodplain Management Regulations to Incorporate New FIRM Maps

**INTRODUCTION:** FEMA has issued new Flood Insurance Rate Maps for the area protected by the Island Levee. These maps must be officially made part of the City of Muscatine Floodplain Regulations in order for Muscatine residents and business to eligible to continue to purchase flood insurance through the National Flood Insurance Program.

**BACKGROUND:**

In order allow for City of Muscatine residents and businesses to continue participating in the National Flood Insurance Program, the City of Muscatine by April 16, 2014 must amend its floodplain management regulations to keep them compliant with Title 44 Code of Federal Regulations 60.3. The City of Muscatine's current floodplain management regulations can be found in Chapters 4 and 5 of Title 10 of the City Code of Muscatine. For these regulations to remain compliant with Federal regulations they must be revised to incorporate the recently revised FEMA Flood Insurance Rate Maps (FIRM) that will become effective on April 16, 2014.

In 2012 the Federal Emergency Management Agency changed the status of the Muscatine Island Levee, which runs along the Mississippi River from approximately the intersection of Broadway Street and Mississippi Drive downriver into Louisa County, from provisionally accredited to accredited. As part of the process of accrediting the Muscatine Island Levee a detailed study of internal drainage ponding was done. Interior drainage ponding is a type of flooding that occurs behind a levee when high water on the river prevents or severely limits the drainage of storm water falling on the area protected by the levee it collects in low-lying areas causing flooding. Data generated as part of this study has led to revisions to the FIRM which cover areas protected by the Muscatine Island Levee, this includes all of the portions of the City of Muscatine south of Hershey Avenue. The revised FIRM become effective on April 16, 2014.

Maps on the following pages show how the 100-year flood plain (Zone A or AE) differ between the current FIRM which went into effect on July 18, 2011, and the FIRM that will go into effect on April 16, 2014. Areas shown in red are in the 100-year flood plain in both the currently effective FIRM and in the FIRM that will go into effect in April. Areas shown in yellow are currently within the 100-year flood plain, but will no longer be in the 100-year flood plain after

**"I remember Muscatine for its sunsets. I have never seen any  
on either side of the ocean that equaled them" — Mark Twain**

April 16<sup>th</sup>.

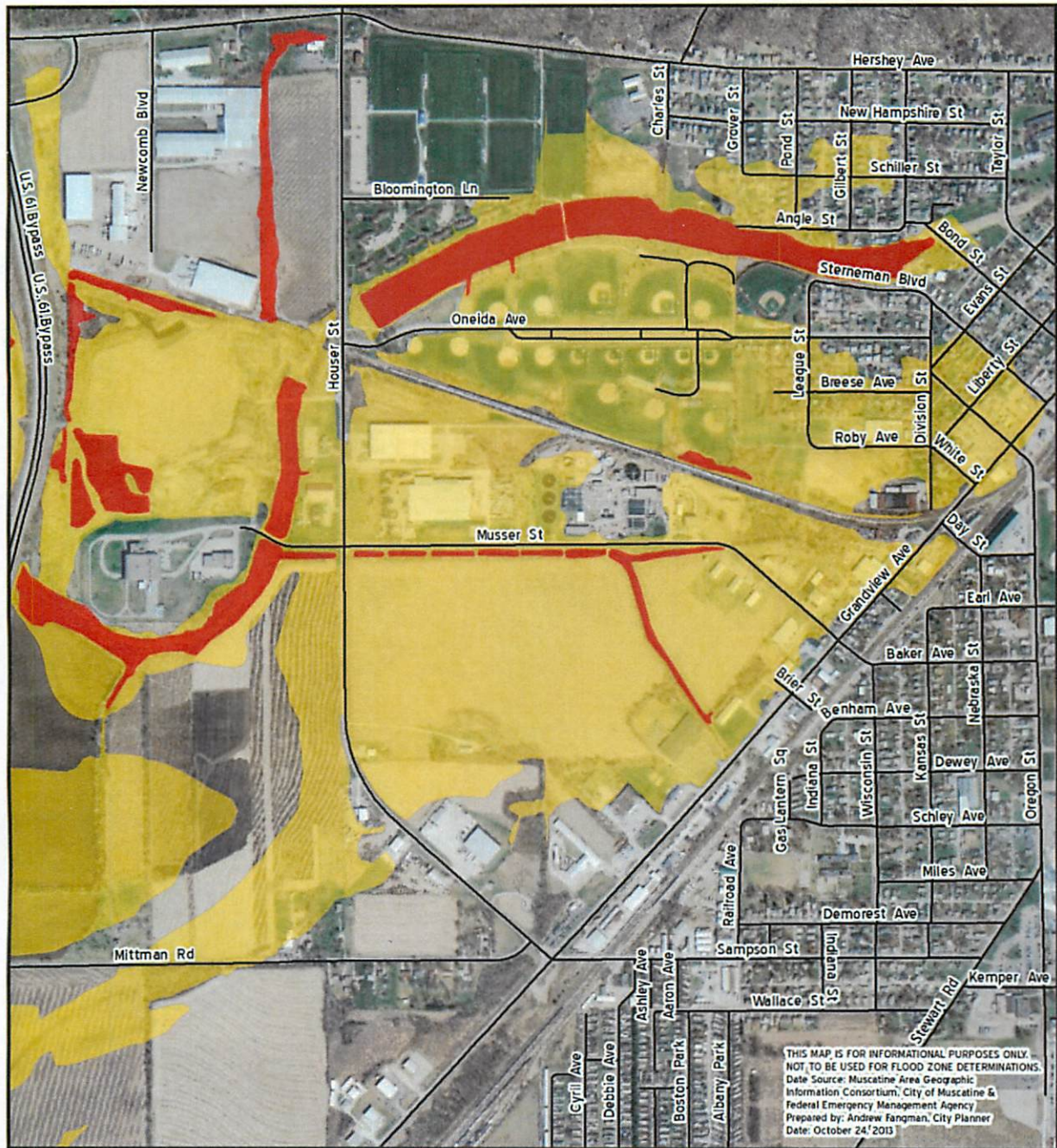
These changes to the FIRM will dramatically reduce in the size of the 100-year flood plain. No structure will be located within the 100-year flood plain, in the City of Muscatine, south of Hershey Avenue. Currently dozens of homes, businesses and other structures within this area are located the 100-year flood plain. Removal from the 100-year flood plain has significant benefits for property owners. Nearly all mortgages require homes and businesses located within the 100-year flood plain to purchase flood insurance. The revised FIRM will save many Muscatine homeowners and businesses a significant amount of money annually by relieving them from the mandatory purchase of flood insurance. These properties will also benefit from their removal from the Flood Plain Zoning District which imposes significant land use restrictions on properties.

**RECOMMENDATION/RATIONALE:** It is recommended that the proposed ordinance revising the City of Muscatine Floodplain Management Regulations to incorporate the revised FIRM with an effective date of April 16, 2014 be adopted. Adoption of this ordinance will for City of Muscatine residents and businesses to continue participating in the National Flood Insurance Program, and save businesses and residents money by shrinking the size of the 100-year flood plain.

**BACKUP INFORMATION:**

1. Maps the changes to 100-year flood plain
2. Ordinance amending Chapter Four and Five of Title Ten of the City Code, floodplain management regulations to incorporate new FIRM panels that become effective on April 16, 2014.





## Forthcoming Revisions to FEMA Flood Zones



Zone A or AE (100 Year Floodplain) REVISED Flood Insurance Rate Maps, Dated April 16, 2014



Zone A or AE (100 Year Floodplain) Currently in Effect Flood Insurance Rate Maps, Dated July 18, 2011

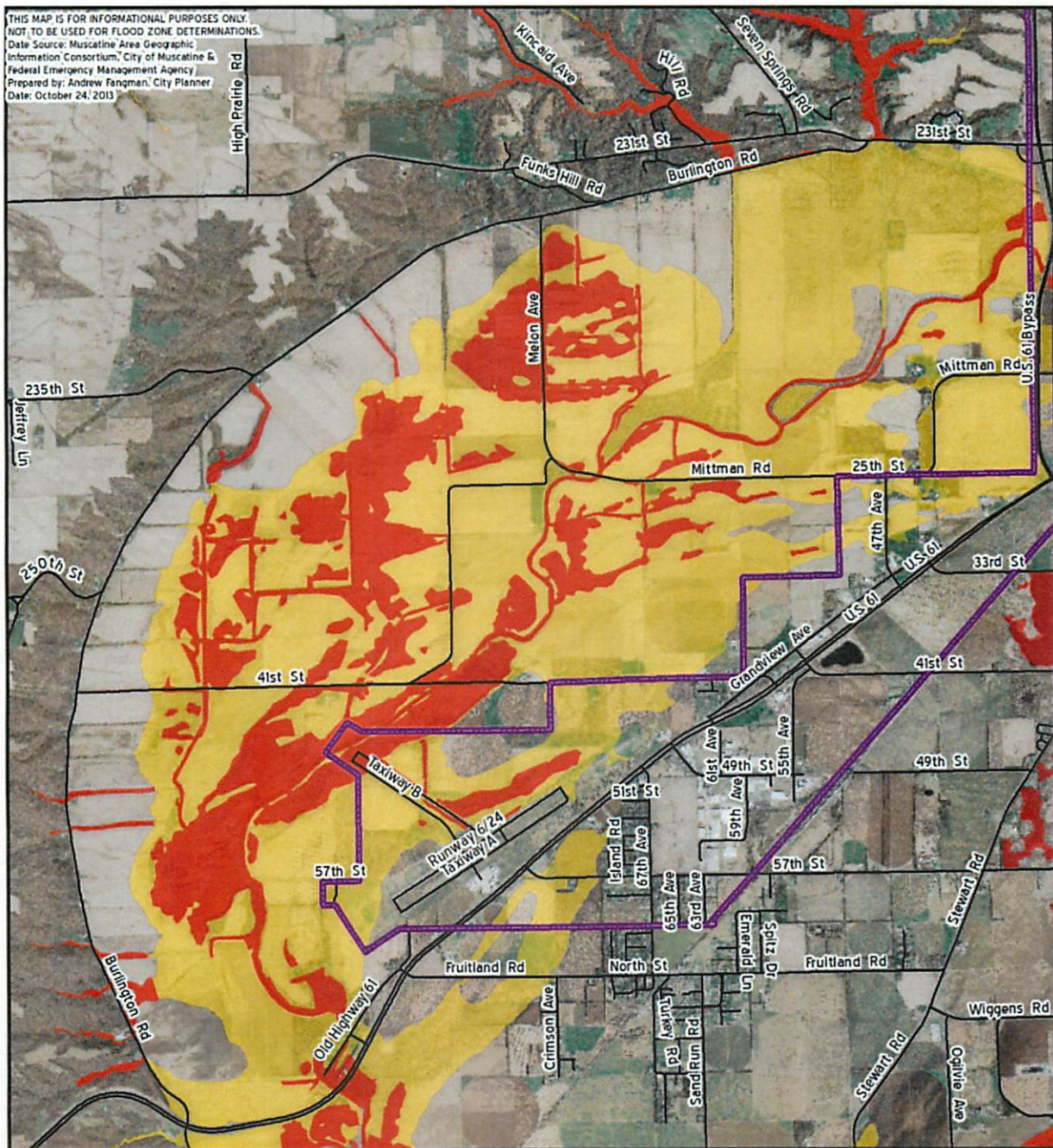


City of Muscatine

0 0.125 0.25 0.5 Miles



THIS MAP IS FOR INFORMATIONAL PURPOSES ONLY.  
NOT TO BE USED FOR FLOOD ZONE DETERMINATIONS.  
Data Source: Muscatine Area Geographic  
Information Consortium, City of Muscatine &  
Federal Emergency Management Agency  
Prepared by: Andrew Fangman, City Planner  
Date: October 24, 2013



## Revisions to FEMA Flood Zones



Zone A or AE (100 Year Floodplain) REVISED Flood Insurance Rate Maps, Dated April 16, 2014



Zone A or AE (100 Year Floodplain) Currently in Effect Flood Insurance Rate Maps, Dated July 18, 2011



City of Muscatine

0 0.5 1 2 Miles





## PROOF OF PUBLICATION

I, Jeff Lee, being duly sworn, on my oath, say that I am an advertising clerk at the *Muscatine Journal*, a newspaper of general circulation, published in the City of Muscatine, Muscatine County, Iowa; and that the following Notice:

Muscatine City Clerk

Ordinance No. 92640-0114

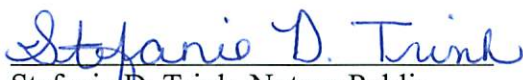
Of which the annexed printed slip is a true, correct and complete copy, was published in said *Muscatine Journal* one time having been made there in on:

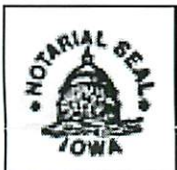
January 24, 2014

  
Jeff Lee

**STATE OF IOWA  
MUSCATINE COUNTY**

27th day of January 2014

  
Stefanie D. Trinh, Notary Public



Stefanie D. Trinh  
Iowa Notarial Seal  
Commission number 778997  
My Commission Expires 06/20/2016

**ORDINANCE NO. 92640-0114  
AN ORDINANCE AMENDING CHAPTER  
FOUR AND FIVE OF TITLE TEN OF THE  
CITY CODE RELATING TO  
FLOODPLAIN MANAGEMENT  
REGULATIONS IN THE CITY OF  
MUSCATINE, IOWA.**

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DeWayne Hopkins, Mayor

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