

ORDINANCE NO. O-2019-29

**AN ORDINANCE AMENDING SECTIONS 34-31 AND 34-72 OF CHAPTER 34,
STORMWATER MANAGEMENT REGULATIONS,
OF THE WHEATON CITY CODE**

WHEREAS, the Federal Emergency Management Agency (FEMA) of the U.S. Department of Homeland Security has approved a new Flood Insurance Study (FIS) and new Flood Insurance Rate Maps (FIRMs) for DuPage County and Incorporated Areas for the purpose of determining the regulatory floodplain, dated February 1, 2019; and

WHEREAS, FEMA requires that communities that participate in the Nation Flood Insurance Program (NFIP) adopt by ordinance the new FIS and FIRMs within six months of FEMA's approval of same; and

WHEREAS, the City of Wheaton participates in the NFIP and in order to maintain its standing in the NFIP must adopt by ordinance the new FIS and FIRMs by August 1, 2019.

NOW, THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Wheaton, DuPage County, Illinois by its home rule authority as follows:

Section 1: Section 34-31, subsection (2) a.8. of Chapter 34 of the Wheaton City Code, 2017, as amended, is hereby amended by repealing and rescinding said Section 34-31, subsection (2) a.8. in its entirety and replacing it to read as follows:

(2) a. 8. Base flood elevation and floodplain limits including floodway data for that portion of a subdivision or development which is in the base flood area.

Section 2: Section 34-72 of Chapter 34 of the Wheaton City Code, 2017, as amended, is hereby amended by repealing and rescinding said Section 34-72, in its entirety and replacing it to read as follows:

Sec. 34-72. Base Flood Elevations, Floodway and Flood Protection Elevations.

The Regulatory Flood Plain and Base Flood Elevation (BFE) for a regulatory floodplain shall be as determined by the Flood Insurance Study for DuPage County, Illinois and Incorporated Areas, revised August 1, 2019 prepared by the Federal Emergency Management Agency (FEMA) of the U.S. Department of Homeland Security, and related Flood Insurance Rate Map (FIRM) panels for DuPage County, Illinois and Incorporated Areas, revised August 1, 2019. The BFE for non-floodplain flood prone areas shall be determined by the best available data or study as determined by the director of engineering. The Flood Protection Elevation (FPE) is the BFE plus two feet of freeboard. To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the Flood Insurance Rate Map (FIRM) panels for DuPage County and Incorporated Areas revised August 1, 2019 and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, the Illinois Department of Natural Resources Office of Water Resources shall be contacted for the interpretation.

SECTION 3: That all ordinances or parts of ordinances in conflict with provisions of this Ordinance are hereby repealed.

SECTION 4: That this Ordinance shall become effective from and after its passage, approval, and publication provided by law.

Philip J. Suess
Mayor

ATTEST:

Alma Bennett Hagan
City Clerk

Roll Call Vote:

Ayes: Councilwoman Bray-Parker
Councilwoman Fitch
Mayor Suess
Councilman Rutledge
Councilman Scalzo
Councilman Zaruba
Councilman Barbier

Nays: None

Absent: None

Motion carried Unanimously

Passed: July 1, 2019

Published: July 2, 2019