

**TOWN OF LAKE CITY  
BOARD OF TRUSTEES  
EMERGENCY ORDINANCE NO. 2024-03**

**AN EMERGENCY ORDINANCE AMENDING PORTIONS OF CHAPTER 10 OF  
THE LAKE CITY TOWN CODE TO INCORPORATE THE NEW FLOOD  
INSURANCE STUDY FOR HINSDALE COUNTY, AND INCORPORATED  
AREAS, DATED SEPTEMBER 12, 2024**

**WHEREAS**, the Board of Trustees of the Town of Lake City, Colorado (the “Board”), pursuant to Colorado Statute is vested with the authority of administering the affairs of the Town of Lake City, Colorado (the “Town”); and

**WHEREAS**, the Town of Lake City Town Municipal Code (the “Code”) sets forth, among other things, regulations and procedures to promote public health, safety, and general welfare and to minimize public and private losses due to flood conditions within the Town; and

**WHEREAS**, the Board cooperates with the Federal Emergency Management Agency (“FEMA”) to adopt floodplain management regulations that adhere to the minimum standards of both the National Flood Insurance Program (“NFIP”) and the State of Colorado; and

**WHEREAS**, the Town adopts such standards to comply with both FEMA floodplain management and Colorado Rules and Regulation for Regulatory Floodplains in Colorado (collectively the “Rules”); and

**WHEREAS**, the Rules are update from time to time, resulting in the Town reviewing and updating the Town Code to comply with the update Rules; and

**WHEREAS**, in addition, to ensure continued eligibility and compliance with the requirements of the NFIP, the Town must also adopt the Flood Map for Hinsdale County and Incorporated Areas Dated September 12, 2024 (the “Flood Map”) on or prior to September 12, 2024; and

**WHEREAS**, the passage of this Emergency Ordinance shall amend the Town Code and make the adoption of the Flood Map effective immediately upon its passage, thereby complying with the September 12, 2024 deadline; and

**WHEREAS**, the Board desires finds necessary and in the best interest of the health,

safety, and welfare of the Citizens of the Town of Lake City to amend the Town Code to comply with and adopt the updated Rules regarding floodplains and floods within the Town as an emergency ordinance taking immediate effect.

**NOW THEREFORE BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY AS FOLLOWS:**

1. Section 10-1 of the Lake City Municipal Code shall be amended with the removal of the ~~striketrough language~~ and the addition of the **bold underlined language** to read in its entirety as follows:

**Sec. 10-1. Statutory Authority and Statement of purpose.**

**The Legislature of the State of Colorado has, in Title 29, Article 20 of the Colorado Revised Statutes, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Board of Trustees of the Town of Lake City, Colorado, does hereby adopt the following floodplain management regulations.**

It is the purpose of this chapter to promote public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to critical facilities, infrastructure and other public facilities such as water, sewer and gas mains; electric and communications stations; and streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
- (7) Ensure that potential buyers are notified that property is located in a flood hazard area.

2. Section 10-2 of the Lake City Municipal Code shall be amended with the addition of the definition for "Base flood" to be added alphabetically to that section and read as follows:

*Base flood* means the flood which has a one percent chance of being equaled or exceeded in any given year (also known as a 100-year flood). This term is used in the National Flood Insurance Program (NFIP) to indicate the minimum level of flooding to be used by a community in its floodplain management regulations.

3. Section 10-4 of the Lake City Municipal Code shall be amended with the removal of the ~~striketrough language~~ and the addition of the **bold underlined language** to read in its entirety as follows:

**Sec. 10-4. Basis for establishing the special flood hazard area.**

The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Hinsdale County, Colorado and Incorporated Areas," dated September 30, 1987, with accompanying flood insurance rate maps and/or flood boundary and floodway maps (FIRM and/or FBFM) and any revisions thereto are hereby adopted by reference and declared to be a part of this chapter. **Specifically, the Flood Insurance Study Map for Hinsdale County, and Incorporated Areas dated September 12, 2024 is hereby incorporated and adopted.** These special flood hazard areas identified by the FIS and attendant mapping are the minimum area of applicability of this chapter and may be supplemented by studies designated and approved by the board of trustees. The floodplain administrator shall keep a copy of the flood insurance study (FIS), DFIRMs, FIRMs and/or FBFMs on file and available for public inspection.

4. **DECLARATION OF EMERGENCY.** Publication and Effective Date. Pursuant to C.R.S. § 31-11-105, this Ordinance is declared to be necessary for the immediate protection and preservation of the public health, safety, and welfare of the citizens of the Town of Lake City for reasons detailed above, and therefore, shall become effective immediately as an emergency ordinance upon adoption by the Board of Trustees of Lake City Colorado

5. **Validity.** If any part of this ordinance is held to be unconstitutional or invalid for any reason such decision shall not affect the validity or constitutionality of the remaining portions of this ordinance. The Board of Trustees hereby declares that it would have approved this ordinance and each part or parts thereof irrespective of the fact that any one part or parts be declared unconstitutional or invalid.

6. **Repeal.** Existing ordinances or parts of ordinances covering the same matters as embraced in this ordinance are hereby repealed and all ordinances or parts of ordinances

inconsistent with the provisions of this ordinance are hereby repealed, except that this repeal shall not affect or prevent collection of any fees assessed pursuant to the provisions of any ordinance hereby repealed prior to the taking effect of this ordinance.

**INTRODUCED, PASSED AND ADOPTED A REGULAR MEETING OF THE BOARD OF TRUSTEES OF THE TOWN OF LAKE CITY, COLORADO AND SIGNED THIS 21st DAY OF August, 2024.**

Votes Approving:	<u>5</u>
Votes Opposed:	<u>0</u>
Absent:	<u>1</u>
Abstained:	<u>0</u>

**ATTEST:**

**BOARD OF TRUSTEES OF THE  
TOWN OF LAKE CITY, COLORADO**



Grant Massey  
Town Clerk

By: 

Dave Roberts  
Mayor