

AN ORDINANCE AMENDING SECTION 9.1 OF THE STORMWATER DRAINAGE DESIGN MANUAL WITH REGARDS TO SUCCESSIVE PERMIT REQUESTS THAT CUMULATIVELY CONSTITUTE A SUBSTANTIAL IMPROVEMENT TO A STRUCTURE IN A SPECIAL FLOOD HAZARD AREA

WHEREAS, the City Council adopted certain technical code entitled the Stormwater Drainage Design Manual on December 18, 2008 (ORD-08:099);

WHEREAS, it has been found that there is an oversight in Section 9.1 of the Stormwater Drainage Design Manual with regard to successive permit requests that cumulatively constitute a substantial improvement to a structure in a Special Flood Hazard Area;

WHEREAS, the Stormwater Management Board recommends that Section 9.1 be amended so that the cost of any reconstruction, remodeling, addition or improvement to a structure in a Special Flood Hazard Area in the preceding three (3) years be considered as part of the current improvement costs in the substantial improvement determination;

NOW, THEREFORE BE IT ORDAINED, BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS:

Section 1. That Section 9.1 of the Stormwater Drainage Design Manual be amended to include the following:

(21) The cost of any reconstruction, remodeling, addition or improvement to a structure in a Special Flood Hazard Area in the preceding three (3) years shall be considered as part of the current improvement costs in the substantial improvement determination, unless the specific improvements are otherwise excluded by definition.

Section 2: That the provisions of this Ordinance are declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

Section 3: That the Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to adopt the above referenced amendment to the Stormwater Drainage Design Manual.