

**TOWN ORDINANCE NUMBER 29
OF THE TOWN OF LIMA, BEAVERHEAD COUNTY, MONTANA**

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LIMA,
MONTANA, TO ADOPT THE CURRENT (2022) STATE MODEL
FLOODPLAIN HAZARD MANAGEMENT REGULATIONS**

WHEREAS, Emergency Ordinance 28, An Emergency Ordinance of the Town Council of the Town of Lima, Montana, to Adopt the Current (2022) State Model Floodplain Hazard Management Regulations, was passed by the Town Council of the Town of Lima on 8/14/23, effective 8/15/23; and

WHEREAS, an emergency ordinance shall remain effective for no more than 90 days, and during that 90-day period the Town Council shall utilize the proper procedure for permanent adoption of this Ordinance; and

WHEREAS, Emergency Ordinance 28 was effective 8/15/23 and shall remain effective to 11/8/23, and Ordinance 29 shall become effective 11/8/23, which is 30 days after passage on 10/9/23; and

WHEREAS, the Town Council approved and adopted previous state model floodplain hazard management regulations on 11/12/2012 with Ordinance 19 and the current state model floodplain regulations through Emergency Ordinance 28 on 8/14/2023; and

WHEREAS, communities participating in the National Flood Insurance Program are required to have up-to-date floodplain management regulations; and

WHEREAS, the Montana Department of Natural Resources and Conservation Water Resources Division has updated the State Model Floodplain Regulations in 2022; and

WHEREAS, the Federal Emergency Management Agency and the Montana Department of Natural Resources and Conservation revised the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) for Beaverhead County, including the Town of Lima, and such revised FIS and FIRMs take effect on 8/15/23; and

WHEREAS, the Lima Town Council has reviewed the updated 2022 State Model Floodplain Regulations, FIS, and FIRMs; and

WHEREAS, Emergency Ordinance 28 superseded and replaced Ordinance 19 effective 8/15/23, causing Ordinance 19 to be necessarily repealed and rescinded; and

WHEREAS, Ordinance 29 shall be the permanent continuation of Emergency Ordinance 28 and become effective on 11/8/23; and

WHEREAS, pursuant to MCA 7-1-4127, the Town Clerk advertised the public hearings by posting in the five public places designated by Resolution 2006-3 and on the town website on 8/21/23 and 8/28/23 for the first reading and 9/18/23 and 9/25/23 for the second reading; and

WHEREAS, public hearings on the proposed regulations were held, as scheduled, on September 5, 2023, and October 9, 2023, before the Lima Town Council at the Lima Town Hall.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Lima, 1) the 2022 State Model Floodplain Hazard Management Regulations, Ordinance 29, attached hereto, be adopted and approved effective 11/8/23, rescinding and superseding Ordinance 19, and 2) Emergency Ordinance 28, which is already effective as of 8/15/23 be effective to 11/8/23.

Date of First Reading and Approval:

PASSED BY THE TOWN COUNCIL OF THE TOWN OF LIMA, MONTANA,
this ____ day of _____, 2023.

Mayor David D. Olsen

Date

ATTEST:

Dina Young, Town Clerk

Date

Date of Second Reading and Approval:

PASSED BY THE TOWN COUNCIL OF THE TOWN OF LIMA, MONTANA,
this ____ day of _____, 2023.

Mayor David D. Olsen

Date

ATTEST:

Dina Young, Town Clerk

Date