

CITY OF KALAMAZOO, MICHIGAN

ORDINANCE NO. 2084

AN ORDINANCE TO AMEND SECTION 29-5 OF THE KALAMAZOO CITY CODE TO CHANGE THE FLOOD INSURANCE RATE MAPS (FIRM) AS UPDATED BY FEMA

THE CITY OF KALAMAZOO ORDAINS:

**A.** Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, the City is hereby designated as the enforcing agency to discharge its responsibility under the Act and assumes responsibility for the administration and enforcement of the Act, including Appendix G of the Michigan Building Code, as amended, throughout its corporate limits.

**B.** The Federal Emergency Management Agency (FEMA) Flood Insurance Study(-ies) entitled "Kalamazoo County, Michigan, All Jurisdictions", effective July 31, 2024, and the Flood Insurance Rate Map(s) (FIRMS) panel number(s) included on index panel number 26077CIND0B dated July 31, 2024 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Map No.		Date	Type
1	26077C0169E	July 31, 2024	FIRM
2	26077C0175E	July 31, 2024	FIRM
3	26077C0179E	July 31, 2024	FIRM
4	26077C0180E	July 31, 2024	FIRM
5	26077C0185E	July 31, 2024	FIRM
6	26077C0186E	July 31, 2024	FIRM
7	26077C0187E	July 31, 2024	FIRM
8	26077C0188E	July 31, 2024	FIRM
9	26077C0189E	July 31, 2024	FIRM
10	26077C0191E	July 31, 2024	FIRM
11	26077C0195E	July 31, 2024	FIRM
12	26077C0285E	July 31, 2024	FIRM
13	26077C0301E	July 31, 2024	FIRM
14	26077C0302E	July 31, 2024	FIRM
15	26077C0310E	July 31, 2024	FIRM
Index	26077CIND08	July 31, 2024	FIRM

**C.** In performing the responsibilities under § 29-3, the Department and building officials shall administer, apply, and enforce the floodplain management regulations as contained in the State Construction Code (including Appendix G) and to be consistent with those regulations by:

(1) Obtaining, reviewing and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from FEMA to identify

the flood hazard area and areas with potential flooding.

(2) Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, Water Resources Protection, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.

(3) Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the Construction Code Act enforcing agent shall implement the following applicable codes according to their terms:

(a) Floodplain management regulation provisions, and referenced codes and standards, of the Michigan Residential Code, as amended.

(b) Floodplain management regulation provisions, and referenced codes and standards, of the Michigan Building Code, as amended.

(c) Appendix G of the Michigan Building Code, as amended.

(4) Reviewing all proposed subdivisions or land divisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.

(5) Assisting in the delineation of flood hazard areas; providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining floodproofing and lowest floor construction records, cooperating with other officials, agencies, and persons for floodplain management.

(6) Advising FEMA of any changes in City boundaries, including appropriate maps.

(7) Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevations to which structures have been floodproofed.

D. In conjunction with this section, the City has adopted a "Resolution to Manage Floodplain Development for the National Flood Insurance Program (NFIP)," and may from time to time adopt other resolutions in order for the city to continue to participant in the NFIP.

### **REPEALER**


All former ordinances or parts of ordinances conflicting or inconsistent with the provisions of this ordinance are hereby repealed. MOST RESTRICTIVE STANDARDS. If another ordinance contains standards inconsistent with the provisions of this ordinance, the most restrictive standards shall apply.

**SEVERABILITY**

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, said portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this ordinance.

**CERTIFICATE**

The foregoing is a true and complete copy of an ordinance adopted by the City Commission of the City of Kalamazoo at a regular meeting held on July 15, 2024. Public notice was given and the meeting was conducted in full compliance with the Open Meetings Act, (PA 267, 1976). Minutes of the meeting will be available as required by the Act, and the ordinance was duly recorded, posted, and authenticated by the Mayor and City Clerk as required by the Charter of said City.

  
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David F. Anderson, Mayor

  
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Scott A. Borling, City Clerk