

AN ORDINANCE TO AMEND THE FLOOD ZONE ORDINANCE OF THE TOWN OF SLAUGHTER BEACH TO REVISE THE HEIGHT OF ELEVATION FOR ALL NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS IN THE COASTAL HIGH-HAZARD AREA, AND TO MAKE OTHER MINOR REVISIONS FOR CLARIFICATION PURPOSES

WHEREAS, the Town of Slaughter Beach is empowered under the authority delegated to it by the Delaware General Assembly in its Municipal Charter (69 Del. Laws Ch. 150, as amended) to make, adopt, amend, and repeal ordinances governing a wide range of matters properly within the Town's jurisdiction;

WHEREAS, Section 4.5.2 of the Town Charter vests the Town Council with the authority to enact ordinances relating to any subject within the powers and functions of the Town, or related to the government of the Town, its peace and order, its sanitation, beauty, health, safety, convenience, and property;

WHEREAS, Section 6.2.24 of the Town Charter grants the Town Council the authority to regulate and control the manner of building or removal of buildings or other structures and to provide for granting permits for same;

WHEREAS, Section 6.2.34 of the Town Charter grants the Town Council the authority to make, adopt, and establish, alter and amend all such ordinances, not contrary to the laws of the State and the United States, as the Town Council may deem necessary to carry into effect any of the provisions of its Charter or any other law of the State relating generally to municipal corporations or which they deem proper and necessary for the order, protection and good government of the Town, the protection and preservation of persons and property, and the public health and welfare of the Town and its inhabitants;

WHEREAS, the current Flood Zone Ordinance of the Town of Slaughter Beach was enacted on November 12, 2002;

WHEREAS, Section 8, subsection 115-189(G)(4) of the Town Flood Zone Ordinance requires that all new construction or substantial improvements in the Coastal High-Hazard area be elevated on pilings and columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to one foot above the base flood elevation;

WHEREAS, the Town Council has found that elevation to one foot above base flood elevation is not required by FEMA standards, and is inconsistent with the requirements of Sussex County, which administers and enforces the Town's Flood Zone Ordinance;

WHEREAS, the Town Council wishes to make other minor revisions to the Flood Zone Ordinance, for clarification purposes; and

AN ORDINANCE TO AMEND THE FLOOD ZONE ORDINANCE OF THE TOWN OF SLAUGHTER BEACH TO REVISE THE HEIGHT OF ELEVATION FOR ALL NEW CONSTRUCTION OR SUBSTANTIAL IMPROVEMENTS IN THE COASTAL HIGH-HAZARD AREA, AND TO MAKE OTHER MINOR REVISIONS FOR CLARIFICATION PURPOSES

WHEREAS, the Town of Slaughter Beach is empowered under the authority delegated to it by the Delaware General Assembly in its Municipal Charter (69 Del. Laws Ch. 150, as amended) to make, adopt, amend, and repeal ordinances governing a wide range of matters properly within the Town's jurisdiction;

WHEREAS, Section 4.5.2 of the Town Charter vests the Town Council with the authority to enact ordinances relating to any subject within the powers and functions of the Town, or related to the government of the Town, its peace and order, its sanitation, beauty, health, safety, convenience, and property;

WHEREAS, Section 6.2.24 of the Town Charter grants the Town Council the authority to regulate and control the manner of building or removal of buildings or other structures and to provide for granting permits for same;

WHEREAS, Section 6.2.34 of the Town Charter grants the Town Council the authority to make, adopt, and establish, alter and amend all such ordinances, not contrary to the laws of the State and the United States, as the Town Council may deem necessary to carry into effect any of the provisions of its Charter or any other law of the State relating generally to municipal corporations or which they deem proper and necessary for the order, protection and good government of the Town, the protection and preservation of persons and property, and the public health and welfare of the Town and its inhabitants;

WHEREAS, the current Flood Zone Ordinance of the Town of Slaughter Beach was enacted on November 12, 2002;

WHEREAS, Section 8, subsection 115-189(G)(4) of the Town Flood Zone Ordinance requires that all new construction or substantial improvements in the Coastal High-Hazard area be elevated on pilings and columns so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to one foot above the base flood elevation;

WHEREAS, the Town Council has found that elevation to one foot above base flood elevation is not required by FEMA standards, and is inconsistent with the requirements of Sussex County, which administers and enforces the Town's Flood Zone Ordinance;

WHEREAS, the Town Council wishes to make other minor revisions to the Flood Zone Ordinance, for clarification purposes; and

Volunteer Fire Company Fire Hall and that Notice of such hearing was given as follows:

- (a) Notice was *posted* on March 23, 2006 (at least thirty (30) days before the date of the hearing) at the Slaughter Beach Volunteer Fire Company Fire Hall and at Slaughter Beach Mini Mart
- (b) Notice was *mailed*, via regular mail, on March 23, 2006 (at least thirty (30) days before the date of the hearing) to all tax payers and property owners at their addresses as shown on the Town's tax records and to non-property owning residents at their last known addresses as provided to the Town.
- (c) Notice was *published* in the Delaware State New on April 14, 2006 (being at least fifteen (15) days before the date of the hearing) bordered in black in the Legal Notices Section.

Date: May 2, 2006

So Certifies?


Mayor