

**INTRODUCED BY COUNCIL MEMBER BERRY**

**Council Bill No. 21-2008**

**Ordinance No. 1423**

**Series of 2008**

**TITLE: AN ORDINANCE AMENDING SECTION 26-803 OF  
THE WHEAT RIDGE CODE OF LAWS PERTAINING  
TO FLOODPLAIN CONTROL**

**WHEREAS**, the City of Wheat Ridge has previously adopted Article VIII of Chapter 26 of the Code of Laws pertaining to floodplain control;

**WHEREAS**, amendment of the description of the Flood Regulatory District is needed to reflect current information;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHEAT  
RIDGE, COLORADO THAT:**

**Section 1.** Subsection G of Section 26-803 of the Wheat Ridge Code of Laws is amended to read as follows:

G. Official maps and engineering reports. The location and boundaries of the Flood Regulatory District shall be as identified by the Federal Emergency Management Agency in "The Flood Insurance Study for Jefferson County, Colorado", dated June 17, 2003, and any amendments or revisions thereto are hereby adopted by reference and declared to be a part of this Article.

The location and boundaries of the Floodway and Flood Storage Districts shall be as shown in the following engineering reports and accompanying maps:

1. Flood Insurance Rate Map (FIRM) panels dated June 17, 2003 for portions of the City of Wheat Ridge.
2. Clear Creek: Flood Hazard Area Delineation of Clear Creek by Icon Engineering For the Urban Drainage and Flood Control District, April, 2007.
3. Clear Creek: Clear Creek Floodplain Revisions at McIntyre Overflow- Letter Report by Icon Engineering dated October 27, 2008.
4. Lena Gulch: Flood Hazard Area Delineation Lena Gulch (Lower) by George K Cotton Consulting for the Urban Drainage and Flood Control District, October, 2007.

The flood insurance rate map and the above-mentioned engineering reports constitute the current flood insurance study for the City of Wheat Ridge and are hereby adopted by the above reference and declared to be part of these regulations. The flood insurance rate map and the above-mentioned engineering reports, which constitute the flood insurance study are on file at the Wheat Ridge Municipal Building, 7500 West 29th Avenue, Wheat Ridge, Colorado,

**Section 2. Safety Clause.** The City of Wheat Ridge hereby finds, determines, and declares that this ordinance is promulgated under the general police power of the City of Wheat Ridge, that it is promulgated for the health, safety, and welfare of the public and that this ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that the ordinance bears a rational relation to the proper legislative object sought to be attained.

**Section 3. Severability.** If any clause, sentence, paragraph, or part of this Zoning code or the application thereof to any person or circumstances shall for any reason be adjusted by a court of competent jurisdiction invalid, such judgment shall not affect application to other persons or circumstances.

**Section 4. Supersession Clause.** If any provision, requirements or standard established by this Ordinance is found to conflict with similar provisions, requirements or standards found elsewhere in the Code of Laws of the City of Wheat Ridge, which are in existence as of the date of adoption of this Ordinance, the provisions, requirements and standards here shall supersede and prevail.

**Section 5. Effective Date.** This ordinance shall take effect 15 days after final publication.

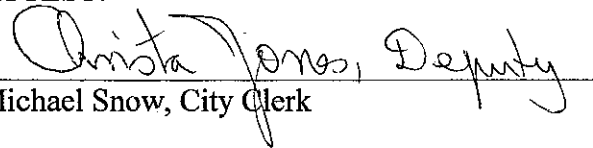
**INTRODUCED, READ, AND ADOPTED** on first reading by a vote of 8 to 0 on this 10th day of November, 2008, ordered published in full in a newspaper of general circulation in the City of Wheat Ridge and Public Hearing and consideration on final passage set for Monday, November 24, 2008, at 7:00 o'clock p.m., in the Council Chambers, 7500 West 29<sup>th</sup> Avenue, Wheat Ridge, Colorado.

**READ, ADOPTED AND ORDERED PUBLISHED** on second and final reading by a vote of 8 to 0, this 24th day of November, 2008.

SIGNED by the Mayor on this 24th day of November, 2008.

  
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JERRY DITULLIO, MAYOR

ATTEST:

  
\_\_\_\_\_  
Christina Jones, Deputy  
Michael Snow, City Clerk

APPROVED AS TO FORM BY CITY ATTORNEY

  
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GERAL DAHL, CITY ATTORNEY

1<sup>ST</sup> publication: November 10, 2008

2<sup>nd</sup> publication: December 4, 2008

Wheat Ridge Transcript

Effective Date: December 19, 2008