

**TOWN OF LYONS, COLORADO
ORDINANCE 1165**

**AN ORDINANCE OF THE TOWN OF LYONS
REDACTING AND REPLACING CHAPTER 18, ARTICLE 15
OF THE LYONS MUNICIPAL CODE
REGARDING FLOOD DAMAGE PREVENTION**

WHEREAS, pursuant to C.R.S. § 29-20-101 *et seq.*, the Town of Lyons ("Town") possesses the authority to implement a floodplain management program within the Town; and

WHEREAS, pursuant to that authority, the Town has previously enacted Chapter 18, Article 15 of the Lyons Municipal Code ("LMC") entitled "Flood Damage Prevention"; and

WHEREAS, the Town suffered historic and catastrophic flooding in September of 2013, emphasizing the need for the Town to implement and administer a floodplain development management program; and

WHEREAS, the floodplain management program enacted by the Town regulates "Special Flood Hazard Areas"; and

WHEREAS, it is necessary for the public health and welfare of the Town that "Special Flood Hazard Areas" be determined based on the effective FEMA Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs); and

WHEREAS, the Town's Board of Trustees desires to update the LMC to adopt the Flood Damage Prevention regulations as reflected in **Exhibit A**, attached and incorporated hereto; and

WHEREAS, the Board of Trustees finds that the amendments to the Town's floodplain development regulations as set forth in this Ordinance further the public health, safety, convenience, and general welfare of the community.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF LYONS, BOULDER COUNTY, COLORADO:

Section 1. The above recitals are incorporated by reference.

Section 2. The Board hereby approves the redacting and replacing of Chapter 18, Article 15 of the Lyons Municipal Code.

Section 3. The Mayor or Mayor Pro Tem is hereby authorized to execute the Ordinance.

Section 4. The Town Administrator, in consultation with the Town Attorney and the Mayor, is hereby authorized to make non-material alterations to the Ordinance, which does not increase the financial obligations of the Town.

Section 5. Severability: Should any one or more sections or provisions of this Ordinance be judicially determined invalid or unenforceable, such judgment shall not affect, impair, or invalidate the remaining provisions of this Ordinance, the intention being that the various sections and provisions are severable.

Section 6. Repeal: All other ordinances or resolutions or parts of ordinances or resolutions in conflict with the provisions of this Ordinance are hereby repealed, provided that such repeal shall not repeal any repealed clauses in such ordinances nor revive any ordinance thereby.

Section 7. Effective Date: This Ordinance shall become effective after following the final passage or October 24, 2024, whichever is later. October 24, 2024, is the same day that FEMA will adopt the Preliminary FIS/FIRMs as the effective FIS/FIRMS for the Town of Lyons.

Section 8. Codification Amendments: The codifier of the Town's Municipal Code, Municipal Code Corporation, is hereby authorized to make such numerical and formatting changes as may be necessary to incorporate the provisions of Sections 2 of this Ordinance within the Lyons Municipal Code.

INTRODUCED AND PASSED ON FIRST READING THIS _____ DAY OF _____, 2024.

INTRODUCED, PASSED, ADOPTED AND ORDERED PUBLISHED THIS _____ DAY OF _____, 2024.

TOWN OF LYONS, COLORADO

Hollie Rogin, Mayor

ATTEST:

Dolores M. Vasquez, CMC, Town Clerk

Attachments: - **Exhibit A** – Redline Changes to Floodplain Regulations