

CITY OF DOVER

ORDINANCE 84

AN ORDINANCE OF THE CITY OF DOVER, IDAHO, REPEALING ORDINANCE 46, PROVIDING FOR DEFINITIONS; PROVIDING FOR FLOODPLAIN SERVICE RESTRICTIONS; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DOVER, IDAHO, AS FOLLOWS, TO WIT:

SECTION 1: REPEALING OF ORDINANCE 46: Ordinance 46 of the City of Dover is hereby repealed in its entirety.

SECTION 2: DEFINITIONS. The following words and phrases used in this ordinance shall be given the following interpretations. All other words and phrases used in this Ordinance, the definition of which is not given, shall be given an ordinary and commonly understood and accepted meaning.

(a) 100 YEAR FLOODPLAIN: The term 100 year floodplain shall be defined as all lands within the City at or below the elevation designated as the 100 year flood elevation by the Federal Emergency Management Agency (FEMA), using feet above the National Geodetic Vertical Datum.

SECTION 3: FLOODPLAIN RESTRICTIONS

(a) Wherever there is a practicable alternative the City shall avoid to the extent possible, the acceptance of septage from any structure located within the 100 year floodplain. Practicable alternatives shall include but not be limited to consideration of private property rights. This provision applies to any structure for which construction was initiated or substantially altered after the date of passage of this ordinance.

(b) Wherever the City finds there is no practicable alternative to accepting septage as set forth above, any structure shall be constructed to address the following three (3) areas of concern:

- (1) Minimize the loss of life due to flooding.
- (2) Minimize the loss of property due to flooding
- (3) Restore/preserve the natural values and functions of floodplains and wetlands.

(c) The City may require that any portion of a structure or dwelling used for human occupancy be constructed at or above the 100 year floodplain elevation to fully and adequately address the three (3) areas of concern set forth above.

SECTION 4: PUBLICATION AND EFFECTIVE DATE

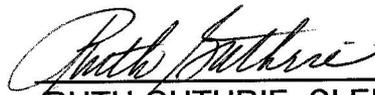
The Ordinance shall take effect and be in full force upon its passage, approval, and publication in full in one (1) issue of the Bonner County Daily Bee, the official newspaper of the City of Dover.

THIS ORDINANCE PASSED AND APPROVED under suspension of the rule and duly enacted as an Ordinance of the City of Dover, Idaho, at a regular meeting of the City Council on the 12th day of January, 2006 upon the following roll call vote:

City Council:	Aye	Nay
Margaret Becker	<u> X </u>	<u> </u>
Marguerite Burge	<u> X </u>	<u> </u>
James Janish	<u> X </u>	<u> </u>
Louis Collins	<u> X </u>	<u> </u>
Mayor Curless	<u> </u>	<u> </u>


 PAUL "RANDY" CURLESS, Mayor

Attest:


 RUTH GUTHRIE, CLERK