

**VILLAGE OF EMPIRE
LEELANAU COUNTY, MICHIGAN**

ORDINANCE NO. 152

**ORDINANCE ADDRESSING FLOODPLAIN MANAGEMENT PROVISIONS OF THE
STATE CONSTRUCTION CODE**

An Ordinance to Designate an enforcing agency to discharge the responsibility of the Village of Empire located in Leelanau County, and to designate regulated flood hazard areas under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.

The Village of Empire ordains:

Section 1. AGENCY DESIGNATED.

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 Construction Codes Authority of the County of Leelanau is hereby designated as the enforcing agency to discharge the responsibility of the Village of Empire under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The County of Leelanau assumes responsibility for the administration and enforcement of said Act throughout the corporate limits of the community adopting this ordinance.

Section 2. CODE APPENDIX ENFORCED.

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, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the jurisdiction of the community adopting this ordinance.

Section 3. DESIGNATION OF REGULATED FLOOD PRONE HAZARD AREAS.

The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) Entitled "Leelanau County, Michigan (All Jurisdictions)" and dated June 7, 2023, and the Flood Insurance Rate Map(s) (FIRMs) listed on the index panel 26089CIND0B dated June 7, 2023 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.

Section 4. REPEAL OF PRIOR ORDINANCES.

Ordinance 152 and any other ordinance of the Village of Empire which conflicts with the provisions of this ordinance are hereby repealed.

Section 5. SEVERABILITY.

The various parts, sections and clauses of this Ordinance are hereby declared to be severable. Should any part, clause, sentence, paragraph, or section of the Ordinance be found invalid or unconstitutional for any reason by any court of competent jurisdiction, any such decision shall not affect the validity of the remainder of this Ordinance.

Section 6. SAVINGS CLAUSE.

All proceedings pending and rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 7. EFFECTIVE DATE.

This Ordinance shall take effect upon the later of 30 days after adoption or 30 days after the date of its publication in the manner provided by law.

Section 8. ADOPTION.

This Ordinance was duly adopted by the Village of Empire Council at its regular meeting called and held on April 14, 2023.

Section 8. PUBLICATION.

The Village Clerk shall cause this ordinance to be published in a newspaper of general circulation within the Village of Empire within fifteen (15) days after adoption.



Sue Palmer, President, Village of Empire



Derith Smith, Clerk, Village of Empire

Adoption Date: 04/13/2023

Publication Date: 04/28/2023

Effective Date: 05/28/2023

CERTIFICATION

I, Derith Smith, Clerk, Village of Empire, Leelanau County, Michigan, do hereby certify that the foregoing is a true and complete copy of this Ordinance adopted by the Village of Empire Council at a regular meeting held on April 13, 2023. The following members of the Village of Empire Council were present at the meeting: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb.

The Ordinance was adopted by the Empire Village Council with members of the Council voting in favor: Bacon, Chase, Dye, Palmer, Rademacher, Walton, Webb.

members of the Council voting against: None.

A copy of the Ordinance or a summary has been published in the Record Eagle on April 28, 2023.



Derith Smith, Clerk, Village of Empire