

## Ordinance 546

### AN ORDINANCE TO AMEND THE CITY OF NEW CASTLE CODE CHAPTER 130 REGARDING BUILDINGS AND STRUCTURES IN SPECIAL FLOOD HAZARD AREAS

**WHEREAS**, the Council of The City of New Castle (“City Council”) possesses the authority to adopt, amend, modify, or repeal The City of New Castle Municipal Code (“City Code”); and

**WHEREAS**, during the City’s annual review for its flood insurance rating with the Community Rating System (“CRS”) it was brought to the City’s attention that the City’s Code § 130-20 E., governing the elevation of mechanical systems in buildings and structures located, in whole or in part, in special flood hazard areas, does not currently meet the CRS class 8 prerequisite requiring mechanicals to be elevated at least 1 ft; and

**WHEREAS**, to ensure that the City meets the prerequisites for CRS class 8 status, which would entitle it to receive 100% of the freeboard credit available to CRS class 8 communities for its flood insurance, City Code § 130-20 E. must be amended; and

**WHEREAS**, the City Council has determined that it is in the best interest of the City and its residents to secure CRS class 8 status to obtain the flood insurance rates and discounts associated with such status.

**NOW, THEREFORE**, be it ordained by the Council of the City of New Castle, as follows:

**SECTION 1:** City Code Chapter 130, Floodplain Management, § 130-20. Buildings and structures is hereby amended as follows, with deleted text appearing in strikethrough and new text appearing in bold:

- E. **Omitted.** ~~As an alternative to Subsection D, electrical systems, equipment and components, and heating, ventilating, air conditioning, and plumbing appliances, plumbing fixtures, duct systems, and other service equipment are permitted to be located below the elevation of the lowest floor, provided that they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of~~

~~buoyancy, during the occurrence of the base flood.~~

**SECTION 2:** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 3:** In the event any existing Ordinances or parts of Ordinances are in conflict herewith, the provisions of this Ordinance shall control.

**SECTION 4:** This Ordinance shall become effective immediately upon passage.

First Reading: March 12, 2024

Second Reading

Signed this \_\_\_\_\_ day of \_\_\_\_\_,

2024

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Suzanne Souder, President of City Council

Attest: \_\_\_\_\_  
Courtaney Taylor, City Clerk

Approved: \_\_\_\_\_  
Valarie Leary, Mayor