**AN ORDINANCE AMENDING FLOOD DAMAGE PREVENTION STANDARDS IN THE TOWN OF DUCK, NORTH CAROLINA**

**Ordinance 22-04**

**WHEREAS**, the Town of Duck’s 2027 Vision, CAMA Core Land Use Plan, and adopted ordinances reflect the Town’s strong interest in promoting public health, safety, and general welfare and to minimize public and private losses due to flooding by restricting or controlling development that potentially increases danger or damage to persons, structures, or properties; and

**WHEREAS**, the Duck Planning Board thoroughly reviewed these standards and voted 5-0 to recommend approval of this ordinance at its public meeting on April 13, 2022; and

**WHEREAS**, the Duck Town Council found these amendments to the Flood Damage Prevention Ordinance to be consistent with the recommendations of the Town of Duck CAMA Land Use Plan.

**NOW, THEREFORE, BE IT ORDAINED** by the Duck Town Council of the Town of Duck, North Carolina:

**PART I.** The existing Chapter 150, *Flood Damage Prevention*, of the Duck Town Code shall be replaced with the following standards:

**CHAPTER 150: FLOOD DAMAGE PREVENTION**

**§ 150.26 FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT AND CERTIFICATION REQUIREMENTS**

(C) *Certification requirements*.

(1) Elevation Certificates for AE, AO, VE, Shaded X and X Zones.

(d) In Shaded X and X zones, the proposed and under construction elevation certificates are not needed if a current survey of the parcel is submitted that demonstrates the natural grade of the structure footprint is above the RFPE of ten feet. In lieu of the finished construction elevation certificate, an as-built survey of the parcel shall be submitted to certify the finished graded of the parcel is compliant with the RFPE or 10 feet NAVD or above.

**PART II**. Subsection 150.26(C)(1)(d) shall be removed from the Duck Town Code in its entirety and replaced as shown above.

**PART III.** This ordinance shall be effective upon its adoption.

Adopted and made effective on this the \_\_\_\_\_ day of \_\_\_\_\_\_\_\_, 20\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mayor

Attest:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Town Clerk

Date adopted: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Motion to adopt by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Vote: \_\_\_\_ AYES \_\_\_\_NAYS