

ORDINANCE NO. 24-003

AN ORDINANCE ADOPTING THE VILLAGE OF BUCHTEL'S SPECIAL PURPOSE FLOOD DAMAGE REDUCTION ORDINANCE WITH THE REVISED FEMA FLOOD INSURANCE STUDY AND FEMA FLOOD INSURANCE RATE MAPS EFFECTIVE SEPTEMBER 26, 2024 AND DECLARING AN EMERGENCY

WHEREAS, the Village of Buchtel has participated in the National Flood Insurance Program (NFIP) as administered through the Federal Emergency Management Agency (FEMA) for many years;

WHEREAS, FEMA routinely issues flood hazard determinations for incorporated communities;

WHEREAS, the Village of Buchtel was notified by FEMA that it has revised portions of the FEMA Flood Damage Reduction Ordinance, its Flood Insurance Study and its Flood Insurance Rate Maps, effective September 26, 2024;

WHEREAS, it is necessary for Village Council to formally adopt the revised FEMA Flood Insurance Study and Flood Insurance Rate Maps to continue participation in the National Flood Insurance Program for the Village's residents and businesses; and

WHEREAS, the revised Ordinance, Maps, and Rates will supersede the Village of Buchtel's previously adopted Ordinance 12-3-09(A) consisting of the previous versions of those documents;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Buchtel, Ohio, by a majority of its members elected thereto concurring:

Section 1. This Ordinance is declared to be an emergency measure necessary for the protection of the peace, health, and safety of the citizens of the Village of Buchtel, Ohio and for the preservation of their property, as the updated floodplain regulations must be effective on or before September 26, 2024, to assure that citizens of the Village who are required to have floodplain insurance can do so.

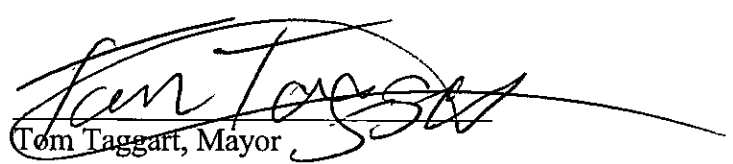
Section 2. Ordinance 12-03-09(A) is superseded by this Ordinance and the attached "Special Purpose Flood Damage Reduction Ordinance"; the updated "Flood Insurance Study, Athens County, Ohio and Incorporated Areas"; and the "Flood Insurance Rate Map, Athens County, Ohio and Incorporated Areas", effective September 26, 2024.

Section 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this legislation were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

Section 6. This Ordinance shall be effective immediately upon its adoption.

Adopted this 1st day of August, 2024.

Attest 
Kirk Grandy, Fiscal Officer


Tom Taggart, Mayor

Rules suspended by $\frac{3}{4}$ vote of its Members: 8-1-24 (Date)

Vote - Yeas 6 Nays 0

Ordinance Approved by $\frac{2}{3}$ vote: 8-1-24 (Date)

Vote - Yeas 6 Nays 0

Prepared by and approved as to form:
Sierra L. Meek
Village Solicitor
Buchtel, Ohio


CERTIFICATION OF CLERK/FISCAL OFFICER

The foregoing is a true copy of the original **Ordinance# 24-003**.

Publication of this Ordinance was made in accordance with O.R.C. 731.21(A)(3) by posting a copy on the website and social media account of the Village of Buchtel, Ohio, for two (2) consecutive weeks beginning on 8-2-24, 2024, and concluding on 8-17-24, 2024 (at least 15 days later). Proof of posting is attached hereto.

Attest:

Date: 8-1-24


Village Fiscal Officer/Clerk



Federal Emergency Management Agency
Washington, D.C. 20472

March 26, 2024

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

IN REPLY REFER TO:
19P

The Honorable Tom Taggart
Mayor, Village of Buchtel
P. O. Box 119
Buchtel, Ohio 45716

Community Name: Village of Buchtel,
Athens County,
Ohio
Community No.: 390728
Map Panels Affected: See FIRM Index

Dear Mayor Taggart:

This is to notify you of the final flood hazard determination for Athens County, Ohio and Incorporated Areas, in compliance with Title 44, Chapter I, Part 67, Section 67.11, Code of Federal Regulations (CFR). This section requires that notice of final flood hazards shall be sent to the Chief Executive Officer of the community, all individual appellants, and the State Coordinating Agency, and shall be published in the *Federal Register*.

The statutory 90-day appeal period that was initiated for your community when the Department of Homeland Security's Federal Emergency Management Agency (FEMA) published a notice of proposed flood hazard determinations for your community in the local newspaper has elapsed. FEMA did not receive any appeals of the proposed flood hazard determinations or submittals regarding the Revised Preliminary Flood Insurance Study (FIS) report and Flood Insurance Rate Map (FIRM) during that time.

Accordingly, the flood hazard determinations for your community are considered final. The final notice for flood hazard determinations will be published in the *Federal Register* as soon as possible. The FIS report and FIRM for your community will become effective on September 26, 2024. Before the effective date, we will send your community final printed copies of the FIS report and FIRM. For insurance purposes, the community number and new suffix code for the panels being revised are indicated on the FIRM and must be used for all new policies and renewals.

Because the FIS report for your community has been completed, certain additional requirements must be met under Section 1361 of the National Flood Insurance Act of 1968, as amended, within 6 months from the date of this letter.

It must be emphasized that all the standards specified in 44 CFR Part 60.3(b) of the National Flood Insurance Program (NFIP) regulations must be enacted in a legally enforceable document. This includes adoption of the current effective FIS report and FIRM to which the regulations

apply and other modifications made by this map revision. Some of the standards should already have been enacted by your community in order to establish initial eligibility in the NFIP. Your community can meet any additional requirements by taking one of the following actions in this Paragraph of the NFIP regulations:

1. Amending existing regulations to incorporate any additional requirements of 44 CFR Part 60.3(b);
2. Adopting all the standards of 44 CFR Part 60.3(b) into one new, comprehensive set of regulations; or
3. Showing evidence that regulations have previously been adopted that meet or exceed the minimum requirements of 44 CFR Part 60.3(b).

Also, prior to the effective date, your community is required, as a condition of continued eligibility in the NFIP, to adopt or show evidence of adoption of the floodplain management regulations that meet the standards of 44 CFR Part 60.3(b) of the NFIP regulations by the effective date of the FIRM. These standards are the minimum requirements and do not supersede any State or local requirements of a more stringent nature.

Many states and communities have adopted building codes based on the International Codes (I-Codes); the model I-Codes (2009 and more recent editions) contain flood provisions that either meet or exceed the minimum requirements of the NFIP for buildings and structures. The model codes also contain provisions, currently found in an appendix to the International Building Code, that apply to other types of development and NFIP requirements. In these cases, communities should request review by the NFIP State Coordinator to ensure that local floodplain management regulations are coordinated (not duplicative or inconsistent) with the State or Local building code. FEMA's resource, *Reducing Flood Losses through the International Code: Coordinating Building Codes and Floodplain Management Regulations, 5th Edition (2019)*, provides some guidance on this subject and is available at <https://www.fema.gov/emergency-managers/risk-management/building-science/building-codes/flood>.

Communities that fail to enact the necessary floodplain management regulations will be suspended from participation in the NFIP and subject to the prohibitions contained in Section 202(a) of the Flood Disaster Protection Act of 1973 (Public Law 93-234) as amended, and 44 CFR Part 59.24.

To assist your community in maintaining the FIRM, we have enclosed a Summary of Map Actions (SOMA) to document previous Letters of Map Change (LOMC) actions (i.e., Letters of Map Amendment, Letters of Map Revision) that will be affected when the revised FIRM panels referenced above become effective. If no LOMCs were issued previously for your community, you are receiving a SOMA for informational purposes only.

Once the FIS report and FIRM are printed and distributed, the digital files containing the flood hazard data for the entire county can be provided for use in a computer mapping system. These

files can be used in conjunction with other thematic data for floodplain management purposes, insurance requirements, and many other planning applications. Copies of the digital files of the FIRM panels may be obtained by calling our FEMA Mapping and Insurance eXchange (FMIX), toll free, at (877) 336-2627 (877-FEMA MAP) or by visiting the Map Service Center at <https://www.msc.fema.gov>. In addition, your community may be eligible for additional credits under our Community Rating System if you implement your activities using digital mapping files.

For assistance with your floodplain management ordinance or enacting the floodplain management regulations, please contact Alicia Silverio, NFIP State Coordinator for Ohio by telephone at (614) 265-1006. If you should require any additional information, we suggest that you contact the Director, Mitigation Division of FEMA, Region 5 at (312) 408-4469 for assistance. If you have any questions concerning mapping issues in general or the enclosed SOMA, please call our FMIX at the telephone number shown above. Additional information and resources you may find helpful regarding the NFIP and floodplain management can be found on our website at <https://www.fema.gov/flood-maps>. Copies of these documents may also be obtained by calling our FMIX.

Sincerely,



Luis V. Rodriguez, P.E.
Director, Engineering and Modeling Division
Risk Management Directorate | Resilience

Enclosure:
Final SOMA

cc: Community Map Repository

FINAL SUMMARY OF MAP ACTIONS

Community: BUCHTEL, VILLAGE OF

Community No: 390728

To assist your community in maintaining the Flood Insurance Rate Map (FIRM), we have summarized below the effects of the enclosed revised FIRM panels(s) on previously issued Letter of Map Change (LOMC) actions (i.e., Letters of Map Revision (LOMRs), Letter of Map Revision based on Fill (LOMR-Fs), and Letters of Map Amendment (LOMAs)) that will be affected when the revised FIRM becomes effective on September 26, 2024.

1. LOMCs Incorporated

The modifications effected by the LOMCs listed below will be reflected on the revised FIRM. In addition, these LOMCs will remain in effect until the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

2. LOMCs Not Incorporated

The modifications effected by the LOMCs listed below will not be reflected on the revised FIRM panels or will not be reflected on the revised FIRM panels because of scale limitations or because the LOMC issued had determined that the lot(s) or structure(s) involved were outside the Special Flood Hazard Area, as shown on the FIRM. These LOMCs will remain in effect until the revised FIRM becomes effective. These LOMCs will be revalidated free of charge 1 day after the revised FIRM becomes effective through a single revalidation letter that reaffirms the validity of the previous LOMCs.

FINAL SUMMARY OF MAP ACTIONS

Community: BUCHTEL, VILLAGE OF

Community No: 390728

2A. LOMCs on Revised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	11-05-1652A	01/25/2011	PORTION OF OUTLOT 14 -- 17751 NORTH AKRON AVENUE	39009C0085C	39009C0085D
LOMA	11-05-2542A	02/08/2011	17475 FORK STREET	39009C0085C	39009C0085D
LOMA	11-05-8383A	09/13/2011	A PORTION OF OUTLOT 14 -- 17751 NORTH AKRON AVENUE	39009C0085C	39009C0085D
LOMA	11-05-8845A	10/04/2011	5530 HAPPY HOLLOW ROAD	39009C0085C	39009C0085D
LOMA	12-05-8628A	10/25/2012	LOT 133 -- 4929 STATE ROUTE 78	39009C0080C	39009C0080D
LOMA	13-05-5892A	07/23/2013	5075 WAGNER STREET	39009C0085C	39009C0085D
LOMA	14-05-0962A	11/14/2013	COLUMBUS & HOCKING COAL AND IRON COMPANY'S ADDITION, LOTS 131 & 132 -- 17514 FIRST STREET	39009C0080C	39009C0080D
LOMA	14-05-1692A	12/17/2013	LOTS 542, 543 & A PORTION OF LOT 544 -- 4750 STATE ROUTE 78	39009C0080C	39009C0080D
LOMA	14-05-2013A	01/16/2014	LOT 150, HALF MOON ADDITION -- 4927 NORTH STREET	39009C0080C	39009C0080D
LOMA	14-05-1964A	01/21/2014	4824 STATE ROUTE 78	39009C0080C	39009C0080D
LOMA	14-05-2680A	01/21/2014	PART OF LOTS 104 & 105 -- 4945 STATE ROUTE 78	39009C0080C	39009C0080D
LOMA	14-05-5992A	06/10/2014	LOT 520 -- 17890 SOUTH OAKLEY DRIVE	39009C0085C	39009C0085D
LOMA	15-05-0600A	11/12/2014	LOTS 321 AND 322 -- 17895 NORTH AKRON AVENUE	39009C0085C	39009C0085D
LOMA	15-05-0546A	11/25/2014	5275 EMERSON STREET	39009C0085C	39009C0085D
LOMA	15-05-1754A	01/20/2015	INLOTS 527 & 528 -- 5699 STATE ROUTE 78	39009C0085C	39009C0085D
LOMA	15-05-2222A	02/19/2015	HALF MOON ADDITION, A PART OF LOTS 108 & 149 -- 4931 NORTH STREET	39009C0080C	39009C0080D

FINAL SUMMARY OF MAP ACTIONS

Community: BUCHTEL, VILLAGE OF

Community No: 390728

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	15-05-4103A	05/14/2015	LOTS 125-126 -- 4915 WAGNER STREET	39009C0080C	39009C0080D
LOMA	15-05-7188A	10/23/2015	17725 NORTH AKRON AVENUE	39009C0085C	39009C0085D
LOMA	16-05-3501A	05/02/2016	JOHN R. BUCHTEL, TRUSTEE'S ADDITION, LOT 39 -- 5175 STATE ROUTE 78	39009C0085C	39009C0085D
LOMA	16-05-3766A	05/10/2016	SECTION 6, T12, R15 -- 5297 STEPHENSON STREET	39009C0085C	39009C0085D
LOMA	16-05-5114A	07/19/2016	LOTS 359, 360, 369 & ADJACENT VACATED ALLEY -- 5379 OHIO AVENUE	39009C0085C	39009C0085D
LOMA	16-05-5306A	07/27/2016	SECTION 6, T12, R15 -- 5297 STEPHENSON STREET (GARAGE)	39009C0085C	39009C0085D
LOMA	16-05-5258A	08/03/2016	HALF MOON EDITION, LOTS 8 & 11 -- 17532 WILSON AVENUE	39009C0085C	39009C0085D
LOMA	16-05-6166A	08/30/2016	HALF MOON ADDITION, LOTS 114-115 -- 17425 SECOND STREET	39009C0080C	39009C0080D
LOMA	17-05-1465A	01/09/2017	HALF MOON ADDITION, LOTS 116 & 117 -- 17405 SECOND STREET	39009C0085C	39009C0085D
LOMA	17-05-2816A	04/05/2017	VILLAGE OF BUCHTEL, LOTS 16/19-20 -- 17500 WILSON AVENUE	39009C0085C	39009C0085D
LOMA	17-05-3776A	05/02/2017	VILLAGE OF BUCHTEL, LOTS 74 & 75; HALF MOON ADDITION, LOT 76 -- 17498 THIRD STREET	39009C0085C	39009C0085D
LOMA	17-05-7204A	11/03/2017	JOHN R. BUCHTEL TRUSTEES ADDITION, LOT 10 -- 17545 FORK STREET	39009C0085C	39009C0085D
LOMA	18-05-1184A	01/03/2018	VILLAGE OF BUCHTEL, LOTS 98 & 99 -- 17478 2ND STREET	39009C0085C	39009C0085D
LOMA	17-05-7141A	01/12/2018	SECTION 6, T12, R15 -- 17576 FORK STREET	39009C0085C	39009C0085D
LOMA	18-05-3675A	05/31/2018	VILLAGE OF BUCHTEL, LOT 97 -- 17454 SECOND STREET	39009C0085C	39009C0085D
LOMA	19-05-3834A	07/19/2019	VILLAGE OF BUCHTEL, LOT 111 & PORTION OF LOT 110 -- 17477 SECOND STREET	39009C0080C	39009C0080D
LOMA	20-05-1256A	01/30/2020	HALF MOON ADDITION, LOTS 82 & 83 -- 17479 THIRD STREET	39009C0085C	39009C0085D

FINAL SUMMARY OF MAP ACTIONS

Community: BUCHTEL, VILLAGE OF

Community No: 390728

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
LOMA	21-05-0362A	12/04/2020	VILLAGE OF BUCHTEL, LOT 38 -- 17430 WILSON AVENUE	39009C0085C	39009C0085D
LOMA	22-05-1170A	03/16/2022	5123 WAGNER STREET	39009C0085C	39009C0085D
LOMA	22-05-1917A	05/12/2022	VILLAGE OF BUCHTEL, LOTS 18 & 21 -- 17522 FORK STREET	39009C0085C	39009C0085D
LOMA	22-05-2060A	06/08/2022	5295 EMERSON STREET	39009C0085C	39009C0085D
LOMA	23-05-0401A	11/21/2022	Lot 41-42, Village of Buchtel Subdivision - 17517 Fork Street	39009C0085C	39009C0085D
LOMA	23-05-0114A	12/14/2022	VILLAGE OF BUCHTEL, LOTS 90-91 -- 17400 SECOND STREET	39009C0085C	39009C0085D

2B. LOMCs on Unrevised Panels

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		

3. LOMCs Superseded

The modifications effected by the LOMCs listed below have not been reflected on the Final revised FIRM panels because they are being superseded by new or revised flood hazard information or the information available was not sufficient to make a determination. The reason each is being superseded is noted below. These LOMCs will no longer be in effect when the revised FIRM becomes effective.

LOMC	Case No.	Date Issued	Project Identifier	Reason Determination Will be Superseded
			NO CASES RECORDED	

1. Insufficient information available to make a determination.
2. Lowest Adjacent Grade and Lowest Finished Floor are below the proposed Base Flood Elevation.
3. Lowest Ground Elevation is below the proposed Base Flood Elevation.
4. Revised hydrologic and hydraulic analyses.
5. Revised topographic information.
6. Superseded by another LOMC.

FINAL SUMMARY OF MAP ACTIONS

Community: BUCHTEL, VILLAGE OF

Community No: 390728

4. LOMCs To Be Redetermined

The LOMCs in Category 2 above will be revalidated through a single revalidation letter that reaffirms the validity of the determination in the previously issued LOMC. For LOMCs issued for multiple lots or structures where the determination for one or more of the lots or structures is no longer valid, the LOMC cannot be revalidated through this administrative process. Therefore, we will review the data previously submitted for the LOMC requests listed below and if appropriate issue a new determination for the affected properties after the effective date of the revised FIRM.

LOMC	Case No.	Date Issued	Project Identifier	Original Panel	Current Panel
			NO CASES RECORDED		