

Village of Hopkins
Resolution # 2023-002
ALLEGAN COUNTY, MICHIGAN

RESOLUTION TO MANAGE FLOODPLAIN DEVELOPMENT
FOR THE NATIONAL FLOOD INSURANCE PROGRAM

WHEREAS, the Village of Hopkins, Allegan County, Michigan, desires to participate in the Federal Emergency Management Agency's (FEMAs) National Flood Insurance Program (NFIP) by complying with the program's applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, and reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilizes the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - i. The overflow of inland or tidal waters.
 - ii. The unusual and rapid accumulation or runoff of surface water from any source.
 - iii. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (a)(2) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

2. Flood Hazard Boundary Map (FHBM) means an official map of a community, issued by the Federal Insurance Administrator, where the boundaries of the flood, mudslide (i.e., mudflow) related erosion areas having special hazards have not been designated as Zones A, M, and/or E.
3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).
4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to, emergency preparedness plans, flood control works and floodplain management regulations.
5. Floodplain management regulations means subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance), and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
6. Structure means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home; and

WHEREAS, the Stille-Derossett-Hale Single State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended (hereinafter Construction Code Act), along with its components, including the Michigan Residential Code and the Michigan Building Code, and specifically Appendix G of said Codes, contain floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas, as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3; and

WHEREAS, by an resolution adoption action dated Aug 9th 2021 the community affirmed its responsibility to administer, apply, and enforce the provisions of the Construction Code Act and the State Construction Code, specifically the Michigan Residential Code and the Michigan Building Code, to all construction within its community boundaries;

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. The community directs its designated enforcing agent for the Construction Code Act, the Hopkins Village Building Official, to administer, apply, and enforce the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations by:
 - a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area and areas with potential flooding.

- b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended.
- c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, the construction code act enforcing agent shall implement the following applicable codes according to their terms:
 - i. Floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.
 - ii. Floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.
 - iii. Appendix G of the current Michigan Building Code.
- d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.
- e. Assisting in the delineation of flood hazard areas; providing information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintaining flood proofing and lowest floor construction records, cooperating with other officials, agencies, and persons for floodplain management.
- f. Advising FEMA of any changes in community boundaries, including appropriate maps.
- g. Maintaining records of new structures and substantially improved structures concerning any certificates of flood proofing, lowest floor elevation, basements, flood proofing, and elevations to which structures have been flood proofed.

NOW THEREFORE BE IT HEREBY RESOLVED AS FOLLOWS:

1. The Village assures the Federal Insurance Administrator (Administrator) that it intends to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMS) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to continue to participate in the

program.

2. The Village further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMS by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

The foregoing resolution was offered by Council Member: DAWN Buist

And supported by Council Member: Craig Osborn

Upon roll call vote, the following voted aye:

~~Kennedy~~ Osborn Adams Williams Sebright Buist MOLLETT

And the following voted nay:

~~Kennedy~~ Osborn Adams Williams Sebright Buist

Absent:

~~Kennedy~~ Osborn Adams Williams Sebright Buist

CERTIFICATE

I hereby certify that the foregoing constitutes a true and complete copy of a Resolution adopted at a regular meeting of the Village of Hopkins Council held at the Township Hall on April 10, 2023 which meeting was preceded by required notices under the Michigan Open Meetings Act, being 1976 PA 267; that a quorum of the Council was present and voted in favor of said Resolution; and that minutes of said meeting were kept and will be or have been made available as required by said Open Meetings Act.



4/10/2023

Mike Alberda, Clerk

VILLAGE OF HOPKINS PO Box 337 Hopkins, MI 49328

Village Hall Address:

128 Franklin St,

Hopkins, MI 49328

(269) 793-7433

<http://www.Villageofhopkins.org/>