

**EMERGENCY ORDINANCE**

**ORDINANCE NO. 2017-2**

**AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON,  
ADOPTING INTERIM REGULATIONS CONCERNING FLOOD DAMAGE  
PREVENTION**

**WHEREAS**, the Town of Eatonville is mandated by the U.S. Department of Homeland Security's Federal Emergency Management Agency (FEMA) to adopt floodplain management measures that meet or exceed the minimum National Flood Insurance Program (NFIP) requirements by March 7, 2107, or be suspended from the NFIP; and

**WHEREAS**, FEMA has provided the Town with the Washington State Model Ordinance for immediate adoption, entitled "Region X Flood Damage Prevention Ordinance Washington Model" in order to comply with FEMA's NFIP requirements; and

**WHEREAS**, the Town does not have adequate time prior to March 7, 2017 to fully process an amendment to its critical areas code, EMC Chapter 15.16; and

**WHEREAS**, pursuant to RCW 36.70A.390 jurisdictions are authorized to adopt interim official controls for a period not longer than six months, provided a public hearing is held within sixty days of their adoption; and

**WHEREAS**, following the adoption of the interim official controls relating to flood damage prevention, the Town Council intends to direct the Planning Commission to review the interim regulations, followed by a public hearing and final action by the Council; and

**WHEREAS**, the timely adoption of the interim regulations on flood damage prevention on an emergency basis is in the interest of the public's health, safety and general welfare in order to insure that affected property owners remain eligible under the NFIP; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS  
FOLLOWS:**

**Section 1.** The Town Council adopts all of the "Whereas" sections of this Ordinance as findings in support of this Ordinance.

**Section 2.** The Town Council adopts on an interim basis the Flood Damage Prevention regulations set forth in the attached Exhibit A.

**Section 3.** The interim regulations concerning flood damage prevention, attached as Exhibit A, shall be in effect until August 27, 2017 unless terminated earlier.

**Section 4.** Declaration of Emergency. The Town Council hereby declares that an emergency exists necessitating that this Ordinance take effect immediately upon passage. The interim Flood Damage Prevention regulations must be imposed as an emergency measure to protect the public health, safety, and welfare, and to insure that affected property owners remain eligible under the National Flood Insurance Program.

**Section 5.** Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

**Section 6.** This is an emergency ordinance and it shall take immediate effect upon adoption.

1ST READING: 02/27/2017

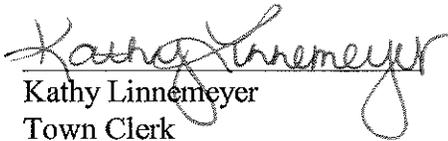
2ND READING: Waived

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this 27<sup>th</sup> day of February, 2017.



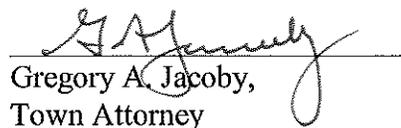
\_\_\_\_\_  
Mike Schaub  
Mayor

ATTEST:



\_\_\_\_\_  
Kathy Linnemeyer  
Town Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
Gregory A. Jacoby,  
Town Attorney