

CHAPTER 9-3 JURISDICTION: PENALTIES

9-3-1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the City.

Ordinance #429, 3.1, 7/29/85

9-3-2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Administration in a scientific and engineering report entitled "The Flood Insurance Study for the City, S.D.", dated 19 August 1985, with accompanying Flood Insurance Rate Maps is hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at the Municipal Finance Office, Municipal Building, 100 S. Main Street, Howard, S.D. 57349.

Ordinance #429, 3.2, 7/29/85: Ordinance 183, 3/10/87

9-3-3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this ordinance and other applicable regulations.

Ordinance #429, 3.3, 7/29/85

9-3-4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance or another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

Ordinance #429, 3.4, 7/29/85

9-3-5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit or repeal any other powers granted under State statutes.

Ordinance #429, 3.5, 7/29/85

9-3-6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger

floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the City, S.D., any officer or employee thereof or the Federal Emergency Management Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

Ordinance #429, 3.6, 7/29/85, 183, 3/10/87