

**ORDINANCE NUMBER 06-53**

**ORDINANCE AMENDING TITLE XV, LAND USAGE,  
CHAPTER 152, FLOOD PLAIN REGULATIONS,  
SECTIONS 152.02, DEFINITIONS, AND  
152.05(C), BASE FLOOD ELEVATION**

**WHEREAS**, the Village of East Dundee is a home rule unit of government under and pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, has the authority to exercise any power and perform any function pertaining to its government and affairs, including but not limited to the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the President and Board of Trustees of the Village of East Dundee having determined that it is in the best interests of the health, safety and welfare of the residents of the Village of East Dundee that Title XV, **LAND USAGE**, Chapter 152, **FLOOD PLAIN REGULATIONS**, Sections 152.02, **DEFINITIONS**, and 152.05(C), **BASE FLOOD ELEVATION**, be amended.

**NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**Section One.** That **TITLE XV, LAND USAGE, CHAPTER 152, FLOOD PLAIN REGULATIONS, SECTION 152.02, DEFINITIONS**, of the Village of East Dundee Code of Ordinances is hereby amended as follows:

**§ 152.02      DEFINITIONS.**

***FLOOD PLAIN.***

(1) The land typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. ***FLOOD PLAINS*** may also include detached Special Flood Hazard Areas, ponding areas, etc. The ***FLOOD PLAIN*** is also known as the ***SPECIAL FLOOD HAZARD AREA*** or ***SFHA***. The ***FLOOD PLAINS*** are those lands within the jurisdiction of the Village that are subject to inundation by the base flood or 100-year frequency

flood. The *SFHAs* of the Village are generally identified as such on the Kane County and Cook County Countywide Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency are generally identified as such on the following map number 17089C panels 0156, 0157, and 0159 dated December 20, 2002, and panel 0180 dated November 16, 2006.

(2) The *SFHAs* of those parts of unincorporated Kane and Cook Counties that are within the extraterritorial jurisdiction of the Village or that may be annexed into the Village are generally identified as such on the Flood Insurance Rate Maps prepared for Kane County dated December 20, 2002 and November 16, 2006, and Cook County dated December 20, 2002 and November 16, 2006 by the Federal Emergency Management Agency.

#### ***REGULATORY FLOODWAY.***

(1) The channel, including on-stream lakes, and that portion of the flood plain adjacent to a stream or watercourse as designated by IDNR-DWR, which is needed to store and convey the existing and anticipated future 100-year frequency flood discharge with no more than an 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a ten percent increase in velocities. The ***REGULATORY FLOODWAYS*** are designated for the Fox River in the Flood Insurance Study (FIS) maps dated December 20, 2002 and November 16, 2006 with corresponding profiles in the FIS prepared by FEMA.

(2) The ***REGULATORY FLOODWAYS*** for those parts of unincorporated Kane and Cook Counties that are within the extraterritorial jurisdiction of the Village that may be annexed into the Village are designated on the Flood Boundary and Floodway map prepared by FEMA for Kane County dated December 20, 2002 and November 16, 2006, and Cook County dated December 20, 2002 and November 16, 2006. To locate the regulatory floodway boundary on any site, the regulatory floodway boundary should be scaled off the regulatory floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the regulatory floodway boundary, the DWR should be contacted for the interpretation.

**Section Two.** That **TITLE XV, LAND USAGE, CHAPTER 152, FLOOD PLAIN REGULATIONS, SECTION 152.05(C), BASE FLOOD ELEVATION** of the Village of East Dundee Code of Ordinances is hereby amended as follows:

#### **§ 152.05 BASE FLOOD ELEVATION.**

(C) (1) The base flood or 100-year frequency flood elevation for the *SFHAs* of Fox River shall be delineated on the 100-year flood profiles in the Countywide

Flood Insurance Study for Kane County prepared by FEMA and dated November 16, 2006 and such amendments to such study and maps as may be prepared from time to time.

(2) The base flood or 100-year frequency flood elevation for the SFHAs of those parts of unincorporated Kane and Cook Counties that are within the extraterritorial jurisdiction of the Village that may be annexed into the Village shall be delineated on the 100-year flood profiles in the Countywide Flood Insurance Study for Kane and Cook Counties prepared by FEMA for Kane County dated December 20, 2002 and November 16, 2006, and Cook County dated December 20, 2002 and November 16, 2006 and such amendments to such study and maps as may be prepared from time to time.

**Section Three. Severability.** If any section, paragraph or provision of this ordinance shall be held to be invalid or unenforceable for any reason, the validity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this ordinance.

**Section Four. Repeal.** All ordinances, resolutions, motions or parts thereof in conflict herewith shall be and the same hereby repealed.

**Section Five. Publication.** This ordinance shall be in full force and effect forthwith upon its adoption, approval and publication in pamphlet form as provided by law.

Adopted this 6<sup>th</sup> day of NOV, 2006, pursuant to a roll call vote as follows:

AYES: Ruffalo, VanOstenbridge, Scarpelli, O'Leary,  
Gorman, Carlini, Pres. Bartels

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

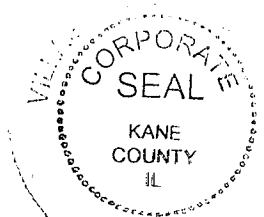
Approved by me this 6<sup>th</sup> day of NOV, 2006

Jerald Bartels  
JERALD BARTELS, President

Published in pamphlet form this 6 day of November, 2006, under the authority of the President and Board of Trustees.

ATTEST:

Susan K Norton  
SUSAN NORTON, Village Clerk



Recorded in the Village Records on November 16, 2006.