

ORDINANCE NO. 3, 1992

AN ORDINANCE AMENDING SECTION 51.42 OF THE CODE OF ORDINANCES CHANGING WATER RATES TO A MINIMUM, SEVEN DOLLARS AND EIGHT CENTS (\$7.80) OUTSIDE CITY LIMITS FOR THE FIRST 1,000 GALLONS.

BE IT ORDAINED BY THE CITY OF CARLSILE, KENTUCKY:

SECTION 1. That Section 51.42 of the Code of Ordinances is amended as follows:

(A.) Section 51.42 Water Rates. All water customers of the City of Carlisle beginning with the bills due June, 1992 shall pay the following rates for water:

	Inside City	Outside City	Minimum
First 1,000 gallons	\$6.00	\$6.00	\$7.80
Next 4,000 gallons	1.60	1.99	2.38
Next 5,000 gallons	1.55	1.99	2.02
Next 5,000 gallons	1.60	1.99	1.53
Next 10,000 gallons	1.20	1.45	1.56
Next 10,000 gallons	1.00	1.29	1.30
Next 25,000 gallons	.95	1.25	1.24
All over 50,000 gallons	1.00	1.30	1.30

The rate for all water hauled from the water plant is \$4.50 per 1,000 gallons.

(B.) All water customers shall pay a minimum charge per month in an amount equal to the rate for the first 1,000 gallons or less as set out above, and the City Clerk/Treasurer shall so bill the water customers.

(C.) Industrial Rate. Any industrial water customer using in excess of an average of five million gallons (5MG) of water per month each month for the previous twelve (12) month period shall qualify for the industrial rate. There will also be a payment of a monthly service charge of \$100.00 on Industrial Rate Customers.

SECTION 2. This Ordinance shall be effective upon passage and approval and publication as required by law.

PASSED:

May 11, 1992

ATTEST:

Mary G. Rapp, City Clerk

Franklin M. Hughes
Franklin M. Hughes, Mayor

Introduced on First Reading April 13, 1992
Adopted on Second Reading May 11, 1992
Signed by Mayor May 11, 1992
Recorded by Clerk May 12, 1992
Published in Paper May 14, 1992

ORDINANCE NO. 4, 1992

AN ORDINANCE AMENDING SECTION 51.44 OF THE CODE OF ORDINANCES CHANGING SEWER RATES TO A MINIMUM, EIGHT DOLLARS AND TWENTY-SIX CENTS (\$8.26) OUTSIDE CITY LIMITS FOR THE FIRST 1,000 GALLONS.

BE IT ORDAINED BY THE CITY OF CARLSILE, KENTUCKY:

SECTION 1. That Section 51.44 of the Code of Ordinances is amended as follows:

(A.) Section 51.44 Sewer Charge. The following service rates shall apply for all bills after June 1, 1992:

	Inside City	Outside City	Minimum
First 1,000 gallons	\$6.35	\$9.62	\$8.26
Next 4,000 gallons	2.81	3.28	2.52
Next 5,000 gallons	2.72	3.29	2.51
Next 5,000 gallons	2.54	3.05	3.30
Next 10,000 gallons	2.36	2.88	3.02
Next 25,000 gallons	2.09	2.56	2.72
All over 50,000 gallons	2.00	2.39	2.60

(B.) Sewer Charges. Sewer Service charges shall be based upon water usage. The billing period shall be monthly. The minimum monthly sewer charge for inside city customers shall be Six Dollars Thirty-Five Cents (\$6.35). The minimum monthly sewer service charge for outside city customers shall be Seven-Dollars-and-Sixty-Two-Cents (\$7.62) Eight Dollars and Twenty-Six Cents (\$8.26).

SECTION 2. This Ordinance shall be effective upon passage and approval and publication as required by law.

PASSED:

May 11, 1992

ATTEST:

Mary G. Rapp, City Clerk

Franklin M. Hughes
Franklin M. Hughes, Mayor

Introduced on First Reading April 13, 1992
Adopted on Second Reading May 11, 1992
Signed by Mayor May 11, 1992
Recorded by Clerk May 12, 1992
Published in Paper May 14, 1992

ORDINANCE 3 - 1992

AN ORDINANCE OF THE CITY OF CARLSILE ADOPTING REVISIONS TO FEDERAL FLOOD DAMAGE PREVENTION REGULATIONS AS REQUIRED BY KENTUCKY REVISED STATUTES.

WHEREAS, THE CITY OF CARLSILE, KENTUCKY PARTICIPATES IN THE NATIONAL FLOOD INSURANCE PROGRAM; AND

WHEREAS, THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS HAVE BEEN REVISED; AND

WHEREAS, IT IS NECESSARY FOR THE CITY TO AMEND CHAPTER 151 OF THE CODE OF ORDINANCES RELATING TO FLOOD DAMAGE PREVENTION, TO INCORPORATE THE CHANGES IN FEDERAL REGULATION.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF CARLSILE:

SECTION 1. That Chapter 151 of the Code of Ordinances "Flood Damage Prevention", be and hereby is repealed in its entirety.

SECTION 2. That the following Flood Damage Prevention Ordinance be and hereby is ordained as the Flood Damage Prevention Ordinance of the City of Carlisle:

ARTICLE 1. STATUTORY AUTHORIZATION, FINDINGS OF FACT.

PURPOSE AND OBJECTIVE

SECTION A. STATUTORY AUTHORIZATION

The General Assembly of the Commonwealth of Kentucky has, in KRS Chapter 82, and KRS Chapter 100, delegated the responsibility to units of local government to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

SECTION B. FINDINGS OF FACT

- (1) The flood hazard areas of City of Carlisle are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas of buildings, structures, and other hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

SECTION C. STATEMENT OF PURPOSE

- (1) restrict or prohibit uses which are dangerous to health, safety and property due to water erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (4) control filling, grading, dredging and other development which may increase erosion or flood damage, and;
- (5) prevent or regulate the construction of flood barriers which will unreasonably divert flood waters or which may increase flood hazards to other lands.

SECTION D. OBJECTIVES

The objectives of this ordinance are:

- (1) to protect human life and health;
- (2) to minimize expenditure of public money for costly flood control projects;
- (3) to minimize expenditure of public money for costly flood control projects;
- (4) to minimize prolonged business interruptions;
- (5) to minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) to help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize flood blight areas; and,
- (7) to insure that potential home buyers are notified that property is in a flood area.

Continued on Page 15

Continued from Page 14

ARTICLE 2. DEFINITIONS.

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

"Addition (to an existing building)" means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

"Appeal" means a request for a review of City of Carlisle's Zoning Administrator's interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated AO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

"Area of special flood hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

"Base flood" means the flood having a one percent chance of being equaled or exceeded in any given year.

"Basement" means that portion of a building having its floor subgrade (below ground level) on all sides.

"Breakaway wall" means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or the supporting foundation system.

"Building" means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

"Elevated building" means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

"Existing Construction" any structure for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMS effective before that date. "Existing construction" may also be referred to as Existing structures."

"Existing Manufactured Home Park or Subdivision" means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management ordinance adopted by the City of Carlisle based on specific technical base flood elevation data which established the area of special flood hazards.

"Expansion to an existing Manufactured Home Park or Subdivision" means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

"Flood" or "flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) the overflow of inland or tidal waters;
- (2) the unusual and rapid accumulation or runoff of surface waters from any source.

"Flood Hazard/Boundary Map (FIRM)" means an official map of a community, issued by the Federal Emergency Management Agency, where

the boundaries of the areas of special flood hazard have been defined as Zone A.

"Flood Insurance Rate Map (FIRM)" means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the Flood Boundary Floodway Map and the water surface elevation of the base flood.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Floor" means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

"Functionally dependent facility" means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

"Highest adjacent grade" means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

"Historic Structure" means any structure that is:

- Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements of individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (1) By an approved state program as determined by the Secretary of the Interior; or
 - (2) Directly by the Secretary of the Interior in states without approved programs.

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of 60.3.

"Manufactured Home" means a structure transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities, the term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

"Mean Sea Level" means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this ordinance, the term is synonymous with National Geodetic Vertical datum (NGVD).

"National Geodetic Vertical Datum (NGVD)" as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

"New Construction" means structures for which the "start of construction" commenced after the effective date of the FIRM or after January 1, 1975, for FIRMS effective before that date.

Continued on Page 16