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ORDINANCE NO. 09-012

AN URGENCY ORDINANCE OF THE CITY OF ALBANY AMENDING THE CITY'S FLOOD DAMAGE PREVENTION REGULATIONS OF THE ALBANY MUNICIPAL CODE

WHEREAS, City of Albany is a Charter City formed under the Constitution of the State of California; and

WHEREAS, the Charter of the City of Albany, was passed by the voters and approved by the State of California in 1927; and

WHEREAS, Albany City Charter Section 2.06 sets forth the procedures in adopting or amending ordinances, and also addresses emergency measures by stating any ordinance declared by the Council to be necessary as an emergency measure for preserving the public peace, health or safety, and containing the reason for its urgency, may be introduced and passed at one and the same meeting, and if passed by a four-fifths vote, shall become effective immediately; and

WHEREAS, the City has received a letter from the Federal Emergency

Management Agency stating that the Albany Flood Damage Prevention Regulations of
the Albany Municipal Code have the wrong date for the Flood Insurance Study (FIS). It
reads November 1978 and should read August 1, 1978, and that FEMA must have a copy
of the signed and dated ordinance, with correct FIS date, before the dFIRMs (Flood
Insurance Rate Map) become effective in August 2009, or else Albany will be
immediately suspended from the National Flood Insurance Program; and

WHEREAS, currently there are thirty-four flood insurance policies in effect in Albany, and in the unfortunate event of flooding, flood insurance will be essential to the

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health and safety of property owners' real estate, structures and their contents, which are located within a special flood hazard area (SFHA). NOW THEREFORE THE CITY COUNCIL DOES HEREBY ADOPT: An Urgency Ordinance by at least a 4/5th vote, amending the Flood Damage Prevention Regulations of the Albany Municipal Code to revise the date of "The Flood Insurance Study (FIS) for the City of Albany" from November 1978 to August 1, 1978 (see Exhibit A attached). Marge Atkinson, Mayor