

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29

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

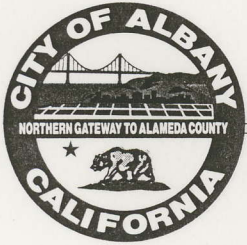
1 health and safety of property owners' real estate, structures and their contents, which are
2 located within a special flood hazard area (SFHA).

3
4 **NOW THEREFORE THE CITY COUNCIL DOES HEREBY ADOPT:**

5 An Urgency Ordinance by at least a 4/5th vote, amending the Flood Damage Prevention
6 Regulations of the Albany Municipal Code to revise the date of "The Flood Insurance
7 Study (FIS) for the City of Albany" from November 1978 to August 1, 1978 (see Exhibit
8 A attached).

9 

10 Marge Atkinson, Mayor
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29



City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

CITY ADMINISTRATOR
PH. (510) 528-5710
FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 524-9205
FAX (510) 526-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES
• Building
• Engineering
• Environmental Resources
• Maintenance
• Planning
PH. (510) 528-5760
FAX (510) 524-9359

FINANCE & ADMINISTRATIVE SERVICES
CITY TREASURER
PH. (510) 528-5730
FAX (510) 528-2743

FIRE & EMERGENCY MEDICAL SERVICES
PH. (510) 528-5771
FAX (510) 528-5774

PERSONNEL
PH. (510) 528-5714
FAX (510) 528-5797

POLICE
PH. (510) 525-7300
FAX (510) 525-1360

RECREATION & COMMUNITY SERVICES
1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914
• Friendship Club/
Childcare Program
PH. (510) 524-0135
• Senior Center
PH. (510) 524-9122
FAX (510) 524-8940
• Teen Center
PH. (510) 525-0576

STATE OF CALIFORNIA)
COUNTY OF ALAMEDA) ss
CITY OF ALBANY)

I, **JACQUELINE L. BUCHOLZ**, City Clerk of the City of Albany, California, do hereby certify that the whole number of members of the City Council of said City of Albany is five and that the foregoing is a true and correct copy of Ordinance No. 09-012 which was passed and adopted by the said City Council, approved and signed by the Mayor of said City, and attested by the City Clerk of said City, all at a regular meeting of the said Council on the 6th day of July 20⁰⁹ A.D., and that the same was so passed and adopted by the following votes and duly published or posted according to State law.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Atkinson

NOES: None

ABSENT: Council Member Javandel

In witness whereof, I have hereunto set my hand and affixed the official seal of the City of Albany, this 7th day of July, 20 09.

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

The City of Albany is dedicated to maintaining its small town ambience, responding to the needs of the community, and providing a safe, healthy environment now and in the future.



PRINTED ON RECYCLED PAPER

EXHIBIT A

20.52.030 General Provisions.

- A. Lands to Which This Section Applies.** This section shall apply to all areas of special flood hazards within the jurisdiction of the City of Albany.
- B. Basis for Establishing the Areas of Special Flood Hazard.** The areas of special flood hazard identified by the Federal Insurance Administration (FIA) of the Federal Emergency Management Agency (FEMA) in a scientific and engineering report entitled "The Flood Insurance Study for the City of Albany", dated ~~November~~ August 1, 1978, with accompanying Flood Insurance Rate Maps (FIRMs) and Flood Boundary and Floodway Maps (FBFMs), dated February 1, 1980, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this section. The FIS and attendant mapping is the minimum area of applicability of this section and may be supplemented by studies for other areas which allow implementation of this section and which are recommended to the City of Albany by the Flood Plain Administrator. The FIS and FIRMs are on file at 1000 San Pablo Avenue, Albany, California.
- C. Compliance.** No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this section and other applicable regulations. Violations of the requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Nothing herein shall prevent the City of Albany from taking such lawful action as is necessary to prevent or remedy any violation.