Metropolitan Nashville and Davidson County, TN

Legislation Text

File #: BL2024-356, **Version:** 1

An ordinance authorizing The Metropolitan Government of Nashville and Davidson County to adopt the revised Flood Insurance Rate Map to minimize dangers to life and property, due to flooding, and to maintain eligibility for participation in the National Flood Insurance Program (Proposal No. 2024M-002OT-001)

WHEREAS, The Metropolitan Government of Nashville and Davidson County ("Metro") wishes to maintain eligibility in the National Flood Insurance Program ("NFIP') and in order to do so, must meet the NFIP regulations found in Title 44 of the Code of Federal Regulations (CFR), Ch. 1, Section 60.3; and,

WHEREAS, areas of Metro are subject to periodic inundation which could result 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; and,

WHEREAS, flood losses are caused by the cumulative effect of obstructions in floodplains or construction which is inadequately elevated, floodproofed, or otherwise unprotected from flood damages; and,

WHEREAS, the Legislature of the State of Tennessee has, in Tenn. Code Ann. §§ (13-7-201 through 13-7-210 or 13-7-101 through 13-7-115), delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry; and

WHEREAS, having already adopted the Flood Insurance Rate Map ("FIRM") as the official floodplain map for Metro in Metropolitan Code § 17.36.180, Metro now wishes to adopt the revised Flood Insurance Rate Map ("FIRM") dated June 20, 2024; and,

WHEREAS, the Metropolitan Planning Commission approved mandatory referral No. 2024M-002OT-001 on April 1, 2024, for the FEMA revised Flood Insurance Rate Map as the official floodplain map for the Metropolitan Government of Nashville and Davidson County.

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. The revised FIRM and Flood Insurance Study (FIS) is hereby adopted as the official floodplain map for the Metropolitan Government of Nashville and Davidson County.

Section 2. The following area of Special Flood Hazard in Metro identified by FEMA, in its Flood Insurance Study (FIS) dated June 20, 2024 and Flood Insurance Rate Map (FIRM) fall within community 470040, Flood Insurance Rate Map Panel numbers:

47037C0136J, 47037C0137K, 47037C0138J, 47037C0141K, 47037C0244J, 47037C0261J, 47037C0263J, 47037C0327J, 47037C0331J, 47037C0333J, 47037C0336J, 47037C0337J, 47037C0357J, 47037C0359J, 47037C0367J, 47037C376J, 47037C0378J, and 47037C0386J, along with all supporting technical data, are adopted by reference and incorporated herein.

Section 3. Amendments to this legislation shall be approved by resolution.

Section 4. This ordinance shall take effect from and after its final passage, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Analysis

This ordinance authorizes the Metropolitan Government to adopt the revised Flood Insurance Rate Map ("FIRM") to minimize dangers to life and property due to flooding and to maintain eligibility for participation in the National Flood Insurance Program ("NFIP").

In order to maintain this eligibility, it is required that Metro follow NFIP regulations found in Title 44, Chapter 1, Section 60.3 of the Code of Federal Regulations. Tennessee Code Annotated sections 13-7-101 through 13-7-115 and 13-7-201 through 13-7-210 delegate responsibility to local governments to adopt regulations designed to promote the public health, safety, and general welfare of its citizens.

Metro has previously adopted FIRM as its official floodplain map in Metropolitan Code Section 17.36.180. Metro now wishes to adopt the revised FIRM, dated June 20, 2024. The Department of Water and Sewerage Services has been working with FEMA to finalize the new version of the Flood Insurance Rate Maps. Metro received a letter from FEMA informing them the maps were final and would become effective June 20, 2024. It is required to adopt the new maps prior to the effective date. This change was approved by the Planning Commission on April 1, 2024.