

NOTICE OF ADOPTION OF A NEW FLOODPLAIN MANAGEMENT ORDINANCE
FOR DELAWARE COUNTY, INDIANA

Please be advised that on May 16, 2011, the Delaware County Commissioners adopted a new Floodplain Management Ordinance replacing the previous ordinance in its entirety. The new Ordinance adopts new digital flood maps by reference and includes an expanded definitions section, a new Floodplain Development Permit and a penalty section which reads as follows:


"Section I. Penalties for Violation.

Failure to obtain a Floodplain Development Permit in the SFHA or failure to comply with the requirements of a Floodplain Development Permit or conditions of a variance shall be deemed to be a violation of this ordinance. All violations shall be considered a common nuisance and be treated as any other violation of the Delaware County Comprehensive Zoning Ordinance and/or the Delaware County Code. All violations shall be punishable by a fine not exceeding \$2,500.

- (1) A separate offense shall be deemed to occur for each day the violation continues to exist.
- (2) The County shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- (3) Nothing herein shall prevent the County from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible."

Basic requirements for development in a floodplain have not changed and include providing an elevation certificate, lowest floor elevations at 2 feet above the 100 year flood plain elevation and restrictions on activities in the floodway which may include state permits.

The Ordinance may be viewed in its entirety on the County's website at www.co.delaware.in.us or at the Plan Commission Office, 100 W. Main Street, Room 206, Muncie, Indiana, from 8:30 a.m. to 4:30 p.m., or call 765-747-7740 during those office hours.


Judy Rust, Auditor
Delaware County, Indiana