

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE of the City Council of the City of SeaTac, Washington, amending Chapters 12.40 and 15.700 of the SeaTac Municipal Code as interim and emergency development regulations and official controls pursuant to RCW 35A.63.220 and RCW 36.70A.390 relating to Flood Damage Prevention and Flood Hazard Areas, declaring an emergency, adopting findings of fact pursuant to RCW 36.70A.390, and establishing an effective date.

**WHEREAS**, the Federal Emergency Management Agency (FEMA) requires compliance with the National Flood Insurance Program (NFIP) Flood Damage Prevention Ordinance prior to August 19, 2020, when the new Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRM) become effective nationwide; and

**WHEREAS**, failure to adopt the FIS and FIRM through revision of local regulations by this date will result in immediate suspension from the NFIP; and

**WHEREAS**, the Washington State Department of Ecology provided guidance for complying with the NFIP Flood Damage Prevention Ordinance with a unique model ordinance for Washington State and specific guidance customized for the City of SeaTac; and

**WHEREAS**, the City of SeaTac is authorized to impose interim and emergency regulations and official controls as set forth in RCW 35A.63.220 and RCW 36.70A.390; and

**WHEREAS**, a public hearing on these interim regulations will be scheduled within sixty (60) days of ordinance adoption, pursuant to RCW 35A.63.220 and RCW 36.70A.390;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SEATAC, WASHINGTON DO ORDAIN AS FOLLOWS:**

**Section 1.** Chapters 12.40 and 15.700 of the SeaTac Municipal Code are hereby amended to read as set forth in Exhibits A and B of this Ordinance.

**Section 2. Recitals Incorporated.** The Recitals set forth above are hereby adopted and

incorporated as Findings of Fact of the City Council.

**Section 3. Additional Findings.** The Council may adopt further additional findings after the public hearing is held and evidence presented to the City Council. The City Council further enters the following additional findings:

1. This Ordinance is consistent with and will implement the City's Comprehensive Plan, and bears a substantial relationship to the public health, safety and welfare.
2. This Ordinance is in the best interest of the City's residents.
3. This Ordinance has been processed, reviewed, considered and adopted in material compliance with all applicable state and local procedural requirements codified in Chapter 36.70A RCW.

**Section 4.** Nothing in this Ordinance is intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**Section 5. Duration of Interim Regulations.** The Interim Regulations adopted by this Ordinance shall remain in effect until December 31, 2020 unless the same are extended as provided in RCW 36.70A.390 and RCW 35A.63.220 prior to that date, or unless the same are repealed or superseded by permanent amendments prior to that date.

**Section 6. Severability.** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such invalidity shall not affect the validity or effectiveness of the remaining portions of this Ordinance.

**Section 7. Ordinance not to be codified.** This Ordinance shall not be codified. The City Clerk, shall ensure that a copy of this Ordinance be accessible through the City's Municipal Code website (<https://www.codepublishing.com/WA/SeaTac/>).

**Section 8. Declaration of Emergency – Immediate Effective Date.** For the reasons set forth in this Ordinance, the SeaTac City Council finds and declares that a public emergency exists that makes this ordinance necessary for the immediate protection of the public health, public safety, public property, and public peace and shall become effective immediately upon adoption.

**ADOPTED** this \_\_\_\_ day of \_\_\_\_\_, 2020, and signed in authentication thereof on this \_\_\_\_ day of \_\_\_\_\_, 2020.

**CITY OF SEATAC**

\_\_\_\_\_  
Erin Sitterley, Mayor

ATTEST:

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Kristina Gregg, City Clerk

Approved as to Form:

\_\_\_\_\_  
Mary E. Mirante Bartolo, City Attorney

[Effective Date: \_\_\_\_\_]