

Clerk's Office Copy

TOWN OF NEWPORT
ZONING / CODES OFFICE

P.O. Box 227
Poland, NY 13431

Phone: (315) 826-3280

Local Law # 1 1999, which will amend Local Law #1 1996, by striking out part 3.2 --- (1) and (2) and insert the following information:

- (1) Flood Insurance Rate Map (multiple panels) Index No. 361111 0001-0020, whose effective date is June 2, 1999.
- (2) A scientific and engineering report entitled " Flood Insurance Study, Town of Newport, New York, Herkimer County" dated June 2, 1999.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at: Frank Salisbury's 376 Graves Road, Newport, NY 13416 and Town Barn Annex 2788 Newport Road, Newport, NY 13416

(Please Use this Form for Filing your Local Law with the Secretary of State)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

Town
City of Newport
Village

Local Law No. 1 of the year 1999

A local law for FLOOD DAMAGE PREVENTION
as authorized by the New York State Constitution, Article IX, Section 2, and
Environmental Conservation law, Article 36.

Be it enacted by the Town Board of the
(Name of Legislative Body)

Town
City of Newport, Herkimer County,
Village

N.Y. as follows:

SECTION 1.0
STATUTORY AUTHORIZATION AND PURPOSE

1.1 FINDINGS

The Town Board of the Town of Newport
finds that the potential and/or actual damages
from flooding and erosion may be a problem to the residents of the
Town of Newport and that such
damages may include: destruction or loss of private and public housing,
damage to public facilities, both publicly and privately owned, and
injury to and loss of human life. In order to minimize the threat of
such damages and to achieve the purposes and objectives hereinafter set
forth, this local law is adopted.

1.2 STATEMENT OF PURPOSE

It is the purpose of this local law to promote the public health,
safety, and general welfare, and to minimize public and private losses
due to flood conditions in specific areas by provisions designed to:

- (1) regulate uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;

Be it enacted this 24th day of May, 1999 by the
Town Board of the Town of
Newport, Herkimer County,
New York, to be effective May 24, 1999.

Michael McGee
Stanley J. Ponzio
Donald E. Hwang
Eugene B. Stroh

SEAL

Paulette Christiano
ATTEST Newport Town CLERK

SECTION 3.0
GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS LOCAL LAW APPLIES

This local law shall apply to all areas of special flood hazard within the jurisdiction of the Town of Newport, Herkimer County, New York.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- (1) Flood Insurance Rate Map (multiple panels) Index No. 361111 0001-0020, whose effective date is June 2, 1999.
- (2) A scientific and engineering report entitled "Flood Insurance Study, Town of Newport, New York, Herkimer County" dated June 2, 1999.

The above documents are hereby adopted and declared to be a part of this Local Law. The Flood Insurance Study and/or maps are on file at:
Frank Salisbury, Flood Plain Administrator, 376 Graves Road, Newport, NY 13416
Town Barn Annex, 2788 Newport Road, Newport, NY 13416.

3.3 INTERPRETATION AND CONFLICT WITH OTHER LAWS

This Local Law includes all revisions to the National Flood Insurance Program through November 1, 1989 and shall supersede all previous laws adopted for the purpose of flood damage prevention.

In their interpretation and application, the provisions of this local law shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and welfare. Whenever the requirements of this local law are at variance with the requirements of any other lawfully adopted rules, regulations, or ordinances, the most restrictive, or that imposing the higher standards, shall govern.

3.4 SEVERABILITY

The invalidity of any section or provision of this local law shall not invalidate any other section or provision thereof.

(Complete the certification in the paragraph that applies to the filing of this local law and strike out that which is not applicable.)

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as local law No. 1 of 1999 of the (County) (City) (Town) (Village) of Newport was duly passed by the Town Board on May 24 1999 in accordance with the applicable provisions of law.
(Name of Legislative Body)

2. (Passage by local legislative body with approval, no disapproval or repassage after disapproval by the Elective Chief Executive Officer*.)

I hereby certify that the local annexed hereto, designated as local law No. _____ of 19__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19__ and was _____ (approved) (not disapproved) (repassed after disapproval) by the _____ and was deemed duly adopted on _____ 19__, in accordance with the applicable provisions of law.
(Name of Legislative Body)
(Elective Chief Executive Officer*)

3. (Final adoption by referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved) (not disapproved) (repassed after disapproval) by the _____ on _____ 19__.
(Name of Legislative Body)
(Elective Chief Executive Officer*)
Such local law was submitted to the people by reason of a (mandatory) (permissive) referendum, and received the affirmative vote of a majority of the qualified electors voting thereon at the (general) (special) (annual) election held on _____ 19__ in accordance with the applicable provisions of law.

4. (Subject to permissive referendum and final adoption because no valid petition was filed requesting referendum.)

I hereby certify that the local law annexed hereto, designated as local law No. _____ of 19__ of the (County) (City) (Town) (Village) of _____ was duly passed by the _____ on _____ 19__, and was (approved) (not disapproved) (repassed after disapproval) by the _____ on _____ 19__.
(Name of Legislative Body)
(Elective Chief Executive Officer*)
Such local law was subject to permissive referendum and no valid petition requesting such referendum was filed as of _____ 19__, in accordance with the applicable provisions of law.

*Elective Chief Executive Officer means or includes the chief executive officer of a county elected on a county-wide basis or, if there be none, the chairman of the county legislative body, the mayor of a city or village, or the supervisor of a town where such officer is vested with the power to approve or veto local laws or ordinances.

5. (City local law concerning Charter revision proposed by petition.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 19__ of the City of _____ having been submitted to referendum pursuant to the provisions of section (36)(37) of the Municipal Home Rule Law, and having received the affirmative vote of a majority of the qualified electors of such city voting thereon at the (special)(general) election held on _____ 19__, became operative.

6. (County local law concerning adoption of Charter.)

I hereby certify that the local law annexed hereto, designated as local law No. ____ of 19__ of the County of _____, State of New York, having been submitted to the electors at the General Election of November ____ 19__, pursuant to subdivisions 5 and 7 of section 33 of the Municipal Home Rule law, and having received the affirmative vote of a majority of the qualified electors of the cities of said county as a unit and of a majority of the qualified electors of the towns of said county considered as a unit voting at said general election, became operative.

(If any other authorized form of final adoption has been followed, please provide an appropriate certification.)

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1, above.

Paulette Christiano
Clerk of the County legislative body, City, Town or Village Clerk or officer designated by local legislative body

Date: May 24, 1999

(Seal)

(Certification to be executed by County Attorney, Corporation Counsel, Town Attorney, Village Attorney or other authorized Attorney of locality.)

STATE OF NEW YORK
COUNTY OF Oneida

I, the undersigned, hereby certify that the foregoing local law contains the correct text and that all proper proceedings have been had or taken for the enactment of the local law annexed hereto.

[Signature]
Signature

Vincent Ross, Jr. Town Atty
Title

County _____
City _____
Town of Newport
Village _____

Date: 5/25/99