



September 17, 2021

The Honorable Tom Barrett
Mayor of the City of Milwaukee
200 East Wells Street, Rm. 201
Milwaukee, WI 53202
Sent via email: mayor@milwaukee.gov

Dear Mr. Barrett:

Recently, the city of Milwaukee received a Letter of Final Determination (LFD) date of February 25, 2022, from the Federal Emergency Management Agency (FEMA) notifying the city that updated Flood Insurance Rate Maps (FIRMs) and the Flood Insurance Study (FIS) for Washington County must be adopted into the local floodplain ordinance within six months. The city ordinance must be amended and approved by DNR and FEMA no later than **February 25, 2022**.

This letter and the documents located at: <https://dnr.wi.gov/topic/FloodPlains/riskmap.html>, under Cedar Creek – Washington County, explain the ordinance adoption process. Please use the new State Model Floodplain Ordinance, effective April 2021, for all updates. The 2021 State Model meets the minimum requirements of the NFIP and Chapter NR116, Wisconsin Administrative Code. The link above contains the following files:

- [FIRM and FIS Information](#) for the Official Maps Section of the Local Floodplain Ordinance – The document lists each community's FIRMs and FIS.
- [Checklist for Standard Model Ordinance](#) - Checklist used to cross reference local sections, to ensure all applicable text is included.
- [2021 Standard Model Ordinance](#) – An editable copy of the WDNR 2021 Standard Model Ordinance for communities in Word format.
- [Adopting an Ordinance: A Step By Step Guide](#) - A quick guide outlining the adoption process.

DNR staff are prepared to assist you in the ordinance review and adoption process, provide example public notices and explain state and federal regulatory requirements. Communities are encouraged to have DNR staff review the draft local floodplain ordinance well before the ordinance is presented to the local governing body for adoption in order to ensure compliance with the NFIP and Chapter NR116, Wisconsin Administrative Code.

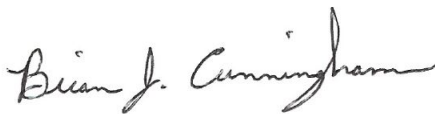
The process for amending a local floodplain ordinance is:

- [Ordinance Amendment Draft](#) - Submit draft ordinance to DNR at DNRfloodplain@Wisconsin.gov for review 2-4 weeks prior to the public hearing to ensure it is compliant with the minimum standards of the NFIP and Chapter NR116, Wisconsin Administrative Code before adoption. We advise the Community to adopt the DNR model as it does meet current minimum standards for the NFIP and Chapter NR116. However, the community may be more restrictive than the minimum standards, if desired.

- Notice of Public Hearing (Class2) - The publication or posting of a public hearing notice for two consecutive weeks with the final notice being published or posted **no less than seven (7) days** prior to the public hearing. It is critical that the notice is published/posted correctly because if it is not, it may not be valid and the community would be required to go through the adoption process again.
- Decision of Governing Body – Once an amended floodplain ordinance has been adopted, please submit the following information to DNRfloodplain@Wisconsin.gov within ten (10) days after adoption:
 - A certified copy of the adopted ordinance.
 - An affidavit of publication of the *notice of public hearing* from the newspaper with the notice. If the notice was posted, a notarized affidavit by the local official (usually the clerk) stating that the notice of public hearing was posted in three public places (with date and location), together with the notice, or posted in one public place and placed electronically on a municipality internet site per s. 985.02(2)(a).
 - An affidavit of publication of the *ordinance adoption* from the newspaper with the notice. If the notice was posted, a notarized affidavit by the local official (usually the clerk) stating that the notice of public hearing was posted in three public places (with date and location), together with the notice, or posted in one public place and placed electronically on a municipality internet site per s. 985.02(2)(a).
 - A pdf of the ordinance package can be e-mailed to the DNR at DNRfloodplain@wisconsin.gov. DNR staff will then forward the approved ordinance to FEMA.

For further information on the ordinance adoption process or the Wisconsin Model Ordinance, please contact Mia Van Horn, Water Regulations and Zoning Specialist at DNRfloodplain@wisconsin.gov or by phone at (608) 590-5296.

Sincerely,



Brian J. Cunningham
Floodplain Management Policy Coordinator
Public Trust and Zoning Section

Cc: Jeff Zagar, Operations Manager, sent via email: Jeff.Zagar@milwaukee.gov
Ed Richardson, Principal Planner, sent via email: ed.richardson@milwaukee.gov
Erica Roberts, Commissioner of Dept. of Neighborhood Services, sent via email: errober@milwaukee.gov
Lafayette Crump, Commissioner of Dept. of City Development, sent via email: lacrump@milwaukee.gov
Kurt Sprangers, Environmental Engineer, sent via email: kspran@milwaukee.gov
Jeff Polenske, Commissioner of the Dept. of Public Works, sent via email: dpwmilw@milwaukee.gov
Michelle Hase, DNR Water Mngmt Engineer, SE Region, Waukesha via email: michelle.hase@wisconsin.gov
Andrea Stern, DNR Water Mngmt Engineer, SE Region, Waukesha via email: andrea.stern@wisconsin.gov