

ORDINANCE NO. 06-27

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, YAVAPAI COUNTY, ARIZONA, PERTAINING TO THE NATIONAL FLOOD INSURANCE PROGRAM, ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING PENALTIES AND DECLARING AN EMERGENCY.

WHEREAS, the Town of Dewey-Humboldt, Arizona is joining the National Flood Insurance Program (NFIP) as a separate community; and,

WHEREAS, the Town of Dewey-Humboldt, under the National Flood Insurance Program is the entity responsible for floodplain administration within the Town; and,

WHEREAS, the continued participation in the National Flood Insurance Program is in the best interest of the citizens of the Town of Dewey-Humboldt; and,

WHEREAS, the Federal Emergency Management Agency published a Flood Insurance Study and Flood Insurance Rate Map for Yavapai County and incorporated areas on June 6, 2001, and all new and subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this Ordinance; and

WHEREAS, each community that participates in the National Flood Insurance Program is required to adopt floodplain management regulations consistent with Federal criteria; and,

WHEREAS, the Town of Dewey-Humboldt, has delegated the responsibility of floodplain management to the Yavapai County Flood Control District as provided for in ARS 48-3610; and,

WHEREAS, the Flood Control District of Yavapai County has adopted Floodplain Regulations that meet the requirements of the National Flood Insurance Program; and

WHEREAS, those certain documents entitled "Flood Insurance Study for Yavapai County, Arizona and Incorporated Areas dated June 6, 2001" and "Flood Insurance Rate Maps dated June 6, 2001" and "Flood Damage Prevention Ordinance for Yavapai County dated March 19, 2001", and all new and subsequent amendments and/or revisions, are hereby designated as public records.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Dewey-Humboldt, Arizona, as follows:

Section 1. The Building Official is designated as the Floodplain Manager for the Town and will serve as the community point of contact on National Flood Insurance Program issues for County, State and Federal officials.

Section 2. Those public records entitled "Flood Insurance Study for Yavapai County, Arizona, and Incorporated Areas dated June 6, 2001" and "Flood Insurance Rate Maps date June 6, 2001" and all subsequent amendments and/or revisions, two copies of which shall be kept on file in the office of the Town Clerk, are hereby adopted by reference, as the basis for establishing the special flood hazard areas for floodplain management in the Town of Dewey-Humboldt. The special flood hazard areas documented in the Flood Insurance Study and Flood Insurance Rate Maps are the minimum area of applicability of the floodplain management regulations and may be supplemented by studies for other areas as allowed in the regulations.

Section 3. That public record entitled "Flood Damage Prevention" Ordinance for Yavapai County, dated March 19, 2001 and all subsequent amendments and/or revisions, three copies of which shall be kept on file in the office of the Town Clerk, is hereby adopted as the legal basis for implementing floodplain management in this community.

Section 4. Repeal of conflicting ordinances. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 5. Severability. If any portion of this ordinance is determined by a court of competent jurisdiction to be invalid, all remaining portions of this ordinance shall remain in full force and effect.

Section 6. Providing for penalties. It is unlawful for a person to engage in any development or to divert, retard or obstruct the flow of waters in a watercourse if it creates a hazard to life or property without securing the written authorization required by A.R.S. § 48-3613. Where the watercourse is a delineated floodplain, it is unlawful to engage in any development affecting the flow of waters without securing written authorization required by A.R.S. §48-3613.

Any person found guilty of violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not to exceed two thousand five hundred dollars (\$2500) or by imprisonment for a period not to exceed six (6) months, or by both such fine and imprisonment. Each day that a violation continues shall be separate offense punishable as hereinabove described.

Section 7. Emergency Clause Whereas the immediate operation of the provisions of this ordinance are necessary for the preservation of the public peace, health and safety of the Town of Dewey-Humboldt, an emergency is hereby declared to exist, and this ordinance shall be in full force and effect from and after its passage, adoption and approval by the Town of Dewey-Humboldt.

EFFECTIVE DATE: This Ordinance shall be effective July 18, 2006.

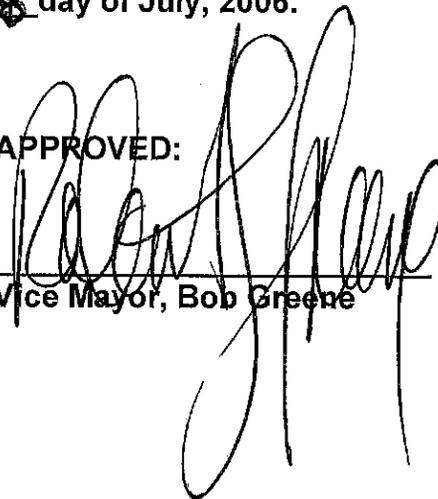
PASSED, ADOPTED AND APPROVED by the Mayor and Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 18 day of July, 2006.

ATTESTED:

APPROVED:


~~Town Clerk, Debbie Gifford~~
Admin. Asst., Judy Morgan


~~Town Attorney, Kenton D. Jones~~


~~Vice Mayor, Bob Greene~~