

ORDINANCE 320-05

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, MARICOPA COUNTY, ARIZONA, AMENDING THE TOWN CODE CHAPTER 13 FLOOD CONTROL, ARTICLE 13-1 DRAINAGE AND EROSION PROVISIONS BY ADDING A NEW SECTION 13-1-3 FLOODPLAIN REGULATIONS; 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; AND PROVIDING PENALTIES.

WHEREAS, the Town of Queen Creek, Arizona joined the National Flood Insurance Program (NFIP) as a separate community on July 22, 1992; and,

WHEREAS, the Town of Queen Creek, 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 Queen Creek; and,

WHEREAS, the Federal Emergency Management Agency published a Flood Insurance Study and Flood Insurance Rate Map for Maricopa County and incorporated areas on July 19, 2001; 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 Queen Creek has previously delegated the responsibility of floodplain management to the Flood Control District of Maricopa County as provided for in ARS 48-3610; and,

WHEREAS, the Flood Control District of Maricopa 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 Maricopa County, Arizona and Incorporated Areas dated July 19, 2001" and "Flood Insurance Rate Maps dated July 19, 2001" and "Floodplain Management Regulations for Maricopa County (2000 Revision)" are hereby designated as public records.

BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF QUEEN CREEK, ARIZONA, AS FOLLOWS:

Section 1. That the Town Code of the Town of Queen Creek Chapter 13 Flood Control Article 13-1 Drainage and Erosion Provisions is hereby amended to add Section 13-1-3 Floodplain Management Regulations to read as follows:

SECTION 13-1-3 FLOODPLAIN MANAGEMENT REGULATIONS

13-1-3 A. THE TOWN MANAGER OF THE TOWN OF QUEEN CREEK 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.

13-1-3 B. THOSE PUBLIC RECORDS ENTITLED "FLOOD INSURANCE STUDY FOR MARICOPA COUNTY, ARIZONA, AND INCORPORATED AREAS DATED JULY 19, 2001" AND "FLOOD INSURANCE RATE MAPS DATED JULY 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, ARE HEREBY ADOPTED BY REFERENCE, AS THE BASIS FOR ESTABLISHING THE SPECIAL FLOOD HAZARD AREAS FOR FLOODPLAIN MANAGEMENT IN THE TOWN OF QUEEN CREEK. 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.

13-1-3 C. THAT PUBLIC RECORD IN THE FLOODPLAIN MANAGEMENT REGULATIONS FOR MARICOPA COUNTY (2000 REVISION), 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 2. Repeal of conflicting ordinances. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 3. 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.

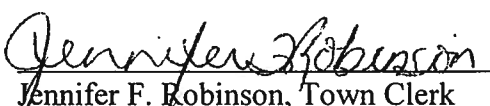
Section 4. Providing for penalties provided for in Town Code Chapter 1, Article 1-8 (A)

PASSED AND ADOPTED by the Mayor and common Council of the Town of Queen Creek, Arizona, this 20th day of July, 2005.


FOR THE TOWN OF QUEEN CREEK:


Wendy Feldman-Kerr, Mayor

ATTESTED TO:


Jennifer F. Robinson, Town Clerk

REVIEWED BY:


Cynthia Seelhammer, Town Manager

APPROVED AS TO FORM:


William E. Farrell, Town Attorney