

## **ORDINANCE 414-07**

**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 SECTIONS 13-1-1 DESIGNATION OF AUTHORITY; 13-1-2 TECHNICAL DESIGN SPECIFICATIONS AND 13-1-3 FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND PROVIDING PENALTIES.**

**WHEREAS**, those certain documents entitled "Flood Insurance Study for Maricopa County and Incorporated Areas" and "Flood Insurance Rate Maps for Maricopa County and Incorporated Areas" dated September 30, 2005 and "Floodplain Management Regulations for Maricopa County" 2006 Revision were adopted as public records on November 14, 2007 by Ordinance 412-07; and

**WHEREAS**, those certain documents entitled "Flood Insurance Study for Pinal County" dated March 5, 1990, "Flood Insurance Rate Maps" dated August 15, 1983 and "Pinal County Floodplain Management Ordinance" dated August 2006 were adopted as public records on November 14, 2007 by Ordinance 413-07.

**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 read as follows:**

### **SECTION 13-1-1 Designation of Authority**

The Town designates the Maricopa County Flood Control District **AND PINAL COUNTY FLOOD CONTROL DISTRICT** as the enforcement authority for all flood plain management activities within the areas of special flood hazard as designated by the Federal Emergency Management Agency, Flood Insurance Rate Maps and for those areas identified by the Maricopa County Flood Control District **AND PINAL COUNTY FLOOD CONTROL DISTRICT** to be areas of special flood concern within the corporate limits of the town. For all other lands not within an area of special flood hazard as designated by the Federal Emergency Management Agency, Flood Insurance Rate Maps or designated areas of special flood concern by the Maricopa County Flood Control District **OR PINAL COUNTY FLOOD CONTROL DISTRICT**, the authority for enforcement of drainage and erosion provisions shall be the Town or other designated agent.

### **SECTION 13-1-2 Technical Design Specifications**

- A. DRAINAGE DESIGN MANUAL FOR MARICOPA COUNTY, ARIZONA, VOLUME I HYDROLOGY, JANUARY 1, 1995**

- B. DRAINAGE DESIGN MANUAL FOR MARICOPA COUNTY, ARIZONA VOLUME II HYDRAULICS, JANUARY 28, 1996
- C. DRAINAGE DESIGN MANUAL FOR MARICOPA COUNTY, ARIZONA VOLUME III EROSION CONTROL, JANUARY 1, 1993
- D. PINAL COUNTY DRAINAGE MANUAL – VOLUME I: DESIGN CRITERIA, AUGUST 2004
- E. PINAL COUNTY DRAINAGE MANUAL – VOLUME II: DESIGN METHODOLOGY & PROCEDURES, AUGUST 2004

### SECTION 13-1-3 Floodplain Management Regulations

13-1-3 A. The Town Manager of the Town of Queen Creek is ~~designated~~ **APPOINTED** as the **NATIONAL FLOOD INSURANCE PROGRAM FLOODPLAIN ADMINISTRATOR** ~~floodplain manager~~ for the Town and **IS RESPONSIBLE FOR COORDINATING WITH THE FLOOD CONTROL DISTRICT OF MARICOPA COUNTY AND PINAL COUNTY** 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 and Incorporated Areas with accompanying Flood Insurance Rate Maps dated **SEPTEMBER 30, 2005**" 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 designated as the "Floodplain Management Regulations for Maricopa County 2000-2006 revision **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.

**13-1-3 D. THOSE PUBLIC RECORDS ENTITLED "FLOOD INSURANCE STUDY FOR PINAL COUNTY" DATED MARCH 5, 1990, WITH ACCOMPANYING FLOOD INSURANCE RATE MAPS DATED AUGUST 15, 1983, 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 E. THAT PUBLIC RECORD DESIGNATED AS THE "PINAL COUNTY FLOODPLAIN MANAGEMENT ORDINANCE" DATED AUGUST 2006, 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.**

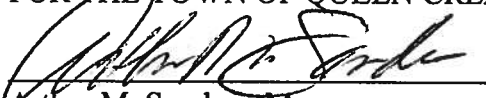
**Section 2.** Repeal of conflicting ordinances. All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

**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.

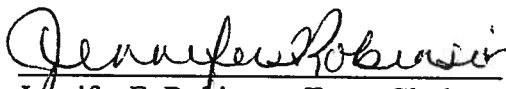
**Section 4.** Providing for penalties provided for in Town Code Chapter 1, Article 1-8 (A)

**PASSED AND ADOPTED** by the Mayor and common Council of the Town of Queen Creek, Arizona, this 5<sup>th</sup> day of December 2007.

FOR THE TOWN OF QUEEN CREEK:

  
Arthur M. Sanders, Mayor

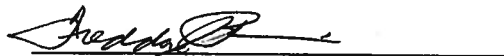
ATTESTED TO:

  
Jennifer F. Robinson, Town Clerk

REVIEWED BY:

  
John Kross, Town Manager

APPROVED AS TO FORM:

  
Fredda J. Bismar, Town Attorney