



Staff Report

Agenda Item: **RESOLUTION DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, DELETING CHAPTER 13, FLOOD DAMAGE PREVENTION, OF THE CLARKDALE TOWN CODE IN ITS ENTIRETY, AND RECREATING CHAPTER 13, DAMAGE PREVENTION, SECTION 13-1-1, ESTABLISHMENT OF SPECIAL FLOOD HAZARD AREAS, OF THE CLARKDALE TOWN CODE; ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS FOR YAVAPAI COUNTY, ARIZONA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ADOPTING BY EMERGENCY MEASURES”**– Discussion and consideration of Resolution #1345, declaring Ordinance #328 to be a public record.

Submitted By: Community Development Department staff

Staff Contact: Paul Grasso, Building Official/ Floodplain Administrator

Meeting Date: August 31, 2010

Background :

The Town of Clarkdale has previously delegated the responsibility of floodplain review and management to the Flood Control District of Yavapai County as provided for in ARS 48-3610. The referenced ordinance updates that agreement and brings Chapter 13 of the Town Code into compliance with the federal program. The Town has been a party to the Federal Insurance Program since the original Ordinance 71 was passed December 28, 1982. Working cooperatively with the County, the Town reviews each building application to see if the ordinance comes into play. Once that has been determined, the building division reviews their application to make sure everything complies with the floodplain ordinance. This relationship is beneficial to the Town, and to the individual applicant.

FEMA has informed the Town that they must adopt floodplain management measures, such as a floodplain management ordinance, that meet or exceed the minimum NFIP requirements by September 3, 2010, to avoid suspension from the NFIP. If suspended, the community becomes ineligible for flood insurance through the NFIP, new insurance policies cannot be sold, and existing policies cannot be renewed.

Whereas it is necessary for the preservation of the peace, health and safety of the Town of Clarkdale, Arizona, an emergency may be declared to exist and this Ordinance would become effective immediately, operative and in full force after the date of the posting with an affirmative vote of three-fourths of all the members elected to the Town Council, taken by ayes and noes, and also approved by the Mayor.

To save the cost of publishing in the newspaper a lengthy ordinance, this change is being first made a public record by resolution (this agenda item) and then is adopted by reference by an ordinance.

Recommendation: To adopt Resolution # 1345, a Resolution declaring as a public record that certain document filed with the Town Clerk and entitled "An Ordinance of The Mayor and Council of The Town Of Clarkdale, Yavapai County, Arizona, Deleting Chapter 13, Flood Damage Prevention of the Clarkdale Town Code in its entirety, and recreating Chapter 13, Damage Prevention, Section 13-1-1- Establishment of Special Flood Hazard Areas of the Clarkdale Town Code; Adopting by reference Revised Flood Insurance Study and Flood Insurance Rate Maps, and Floodplain Management Regulations for Yavapai County, Arizona; Providing for Repeal of Conflicting Ordinances; Providing for Severability; and Adopting By Emergency Measures".

RESOLUTION # 1345

RESOLUTION DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, DELETING CHAPTER 13, FLOOD DAMAGE PREVENTION, OF THE CLARKDALE TOWN CODE IN ITS ENTIRETY, AND RECREATING CHAPTER 13, DAMAGE PREVENTION, SECTION 13-1-1, ESTABLISHMENT OF SPECIAL FLOOD HAZARD AREAS, OF THE CLARKDALE TOWN CODE; ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS FOR YAVAPAI COUNTY, ARIZONA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ADOPTING BY EMERGENCY MEASURES”.

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, ARIZONA:

That certain document entitled “AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CLARKDALE, YAVAPAI COUNTY, ARIZONA, DELETING CHAPTER 13, FLOOD DAMAGE PREVENTION, OF THE CLARKDALE TOWN CODE IN ITS ENTIRETY, AND RECREATING CHAPTER 13, DAMAGE PREVENTION, SECTION 13-1-1, ESTABLISHMENT OF SPECIAL FLOOD HAZARD AREAS, OF THE CLARKDALE TOWN CODE; ADOPTING BY REFERENCE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS FOR YAVAPAI COUNTY, ARIZONA; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND ADOPTING BY EMERGENCY MEASURES” , three copies of which are on file in the office of the Town Clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the Town Clerk.

PASSED AND ADOPTED by the Mayor and Council of the Town of Clarkdale, Arizona, this 31st day of August, 2010.

ATTEST:

Doug Von Gausig, Mayor

Kathy Bainbridge, Town Clerk

APPROVED AS TO FORM:

Robert Pecharich, Town Attorney