

**Town of Carefree, Arizona
Ordinance No. 2005-06**

AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE TOWN OF CAREFREE, MARICOPA 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; AND PROVIDING PENALTIES.

WHEREAS, the Town of Carefree, Arizona joined the National Flood Insurance Program (NFIP) as a separate community on July 2, 1979; and,

WHEREAS, the Town of Carefree, 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 Carefree; 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 Carefree, 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.

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

Section 1. The Town of Carefree Town Administrator is appointed/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 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 Carefree. 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 in the Floodplain Management Regulations for Maricopa County (2000 Revision), three copies of which shall be kept on file in the office of the City/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 as per Article 1.8 of the Carefree Town Code.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the Town of Carefree, Maricopa County, Arizona, this 5th day of July, 2005.

AYES _____ NOES _____ ABSENT _____ ABSTAIN _____

ATTESTED:

APPROVED:

City/Town Clerk, Elizabeth Wise

Mayor, Edward C. Morgan

APPROVED AS TO FORM:

Town Attorney, Thomas Chenal