

ORDINANCE NO. 719-23

AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA AMENDING THE CITY OF PAGE CODE OF ORDINANCES, BY REPEALING CHAPTER 153 FLOODPLAIN MANAGEMENT, AND ADOPTING NEW FLOODPLAIN MANAGEMENT REGULATIONS AS §§ 153.01 THROUGH 153.04.

WHEREAS, the Mayor and City Council have relinquished control of floodplain management within the City of Page to the Coconino County Flood Control District; and

WHEREAS, given that the county district will manage and regulate the floodplain, the current City regulations must be repealed, and the Mayor and Council desire to replace the repealed provisions with the provisions as set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA, AS FOLLOWS:

SECTION 1. Chapter 153, encompassing §§ 153.01 through 153.62, of the City of Page Code of Ordinances is hereby repealed in its entirety and the provisions set forth in Exhibit A are hereby approved and adopted as Chapter 153, §§ 153.01 through 153.04, of the City of Page Code of Ordinances.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. That the effective date of this Ordinance shall be 30 days from the adoption of this Ordinance.

SECTION 4. Any person found responsible for violating this Ordinance shall be subject to the penalties set forth in § 153.04:

Violation of floodplain management regulations established for development within the City shall be deemed to be a violation of both this section and A.R.S. Article 1, Chapter 21, Title 48 and is subject to penalties described in § 10.99 of this Code and A.R.S. § 48-3615.

SECTION 5. If any section, subsection, sentence, clause, phrase or portion of this Ordinance or any part of the Code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

SECTION 6. That the City Clerk is authorized to correct typographical and grammatical errors, as well as errors of wording and punctuation, as necessary; and that the City Clerk is authorized to make formatting changes needed for purposes of clarity and form, if required, to be consistent with the Page City Code of Ordinances.

PASSED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF PAGE, COCONINO COUNTY, ARIZONA this 15th day of November, 2023, by the following vote:

Ayes	<u>6</u>
Nays	<u>0</u>
Abstentions	<u>0</u>
Absent	<u>0</u>

CITY OF PAGE

By


Vice Mayor John Kocjan

ATTEST:


CITY CLERK

APPROVED AS TO FORM:


CITY ATTORNEY

EXHIBITS ON FILE AT:
PAGE CITY CLERK'S OFFICE
697 VISTA AVE., PAGE, AZ



EXHIBIT A

CHAPTER 153: FLOODPLAIN MANAGEMENT

§ 153.01 DELEGATION OF RESPONSIBILITY FOR FLOODPLAIN MANAGEMENT.

In accordance with ARS § 48-3610(E), floodplain management within the City has been relinquished to the Coconino County Flood Control District, and development within areas designated as Special Flood Hazard Areas located within City limits shall be subject to such rules and regulations as may be established by the State and the Coconino County Flood Control District in conformance with the National Flood Insurance Program requirements and the provisions of A.R.S. Article 1, Chapter 21, Title 48. Conformance to such rules and regulations shall be in addition to any other applicable Code requirements.

§ 153.02 FLOODPLAIN ADMINISTRATOR, DUTIES AND RESPONSIBILITIES.

The City Planning and Zoning Director is hereby appointed as Floodplain Administrator of the City. The Planning and Zoning Director may assign the following duties given to the Floodplain Administrator by this Code to another City employee or engineer working for the City. Duties of the Floodplain Administrator shall include:

- (A) Coordinate with Coconino County Flood Control District staff regarding floodplain management;
- (B) Verify that Page's participation in the National Flood Insurance Program is maintained and remains in good standing;
- (C) Obtain and maintain current Flood Insurance Study(ies) and Flood Management Rate Map(s) applicable to the City;
- (D) Obtain and maintain a copy of the most current "Coconino County Floodplain Regulations Ordinance," at the office of the City Clerk;
- (E) Obtain and maintain evidence of compliance for all applicable development in Special Flood Hazard Areas (SFHAs);
- (F) Establish procedures to ensure that all requests for permits for floodplain development will be promptly forwarded to the Coconino County Flood Control District and that no permits will be issued by any agent of the City until a valid floodplain use permit is obtained by the applicant;
- (G) Cooperate with Federal, State and local agencies and private firms in providing information and cooperating with any study, survey, map or identification of floodplain areas, with respect to management of adjoining floodplain areas in order to prevent aggravation of any existing hazards.

§ 153.03 WARNING AND DISCLAIMER OF LIABILITY.

The degree of flood protection required by this section and applicable State and County regulations is considered reasonable for regulatory purposes. Flood heights may be increased by man-made or natural causes. This section does not imply that land outside the areas of Special

Flood Hazard or uses permitted within such areas will be free from flooding or flood damage. This section shall not create liability on the part of the City or any officer or employee thereof.

§ 153.04 PENALTIES FOR VIOLATION.

Violation of floodplain management regulations established for development within the City shall be deemed to be a violation of both this section and A.R.S. Article 1, Chapter 21, Title 48 and is subject to penalties described in § 10.99 of this Code and A.R.S. § 48-3615.