



Legislation Text

File #: ORD-87:1535, **Version:** 1

AN ORDINANCE TO AMEND SECTION 5-18.2, RELATING TO DEVELOPMENT IN DESIGNATED FLOOD HAZARD AREAS WITHIN THE CITY OF JONESBORO, ARKANSAS, STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, METHODS OF REDUCING FLOOD LOSSES, FLOOD INSURANCE RATE MAP AND FLOOD BOUNDARY-FLOODWAY MAP, FLOOD INSURANCE STUDY, FLOOD DAMAGE PREVENTION ORDINANCE, PENALTIES, AND EMERGENCY CLAUSE **(NOTE: THIS ORDINANCE WAS AMENDED BY ORD-91:980 ON AUGUST 19, 1991)**
BE IT ORDAINED by the City Council of the City of Jonesboro.

ARTICLE 1:

Section A. Statutory Authorization: The Legislature of the State of Arkansas has in statutes 19-2801 thru 19-2832 delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

Section B. Findings of Fact: The flood hazard area of Jonesboro, Arkansas are subject to periodic inundation which could result in loss of life and property, health and safety hazards, disruptive of commerce and governmental services, extraordinary public expenditures for flood protection and relief, impairment of the tax base, all of which adversely effect the public health, safety, and general welfare.

These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss.

Section C: PURPOSE: It is the purpose of this ordinance to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditures of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding the generally undertaking at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as waster and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- (6) Help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize future flood blight areas;
- (7) Insure that potential buyers are notified that property is in a flood area;
- (8) Insure that those who occupy the area of special flood hazards assume responsibility for their actions.

Section D. Methods of Reducing Flood Losses:

In order to accomplish its purposes, this ordinance uses the following methods.

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase flood damage;
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to the lands.

Section E. Flood Insurance Rate Map and Flood Boundary- Floodway Map: The City of Jonesboro does hereby adopt the official maps of the Federal Insurance Administration known as the Flood Insurance Rate Map and the Flood Boundary-Floodway Map, dated June 15, 1981.

Section F. Flood Insurance Study: The City of Jonesboro does hereby adopt the official Flood Insurance Study, dated December 15, 1980, providing technical data pertaining to flood hazard areas within the City of Jonesboro attributing to the enforcement of the Flood Damage Prevention Ordinance.

Section G. Flood Damage Prevention Ordinance: The City of Jonesboro does hereby adopt the Flood Damage Prevention Ordinance dated March 16, 1987, consisting of Articles 1 through 5 inclusive in administering the flood plain management program.

Section H. Penalties: Any person, firm, or corporation found guilty of violating any of the provisions of the Flood Damage Prevention Ordinance shall be fined for each such violation as provided by Act 629 of the 1969 General Assembly of Arkansas.

Section I. Emergency Clause: This Ordinance being necessary for the preservation of the public peace, health, comfort, convenience, morals, safety, and welfare of the City of Jonesboro, Arkansas, an emergency is declared to exist and this Ordinance shall be in full force and effect from the date of its adoption.

PASSED and ADOPTED this 16th day of March, 1987.