

RESOLUTION NO. 1260

A RESOLUTION PROVIDING FOR
THE ADOPTION OF THE FLOODPLAIN MANAGEMENT CODE

WHEREAS, the Board of County Commissioners of Atchison County, Kansas, finds that adequate and reasonable control over floodplain management in unincorporated areas of the County of Atchison are necessary; and

WHEREAS, the Atchison County Floodplain Management Code is modeled after codes of a similar type in Kansas and structured under the auspices of the Kansas Department of Agriculture, Division of Water Resources; and

WHEREAS, the adoption of said code is necessary for the well being, comfort and safety of the inhabitants of Atchison County; and,

WHEREAS, the purposes of said code is to promote the public health, safety, and general welfare; to minimize those losses; to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations; and for the further purpose of regulating development in order that the public health and welfare will be protected; and

WHEREAS, it is necessary to establish administrative procedures to facilitate fair and equitable regulations while at the same time recognizing the rights of affected persons to receive reasonable and prompt processing of applications and to appeal administrative decisions; and,

WHEREAS, notice of a public hearing was published in the official county paper, The Atchison Daily Globe, on October 27, 2005, and a public hearing was held by the Board of County Commissioners on October 31, 2005; and,

WHEREAS, at the close of said public hearing, the Board of County Commissioners voted to approve the adoption of said code as presented.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Atchison County, Kansas, that the Floodplain Management Code dated October 31, 2005, after public hearing to consider the same, is hereby adopted by the Board of County Commissioners.

BE IT FURTHER RESOLVED by the Board of County Commissioners of Atchison County, Kansas, that copies of said Code shall be available for public inspection at the Atchison County Clerk's Office.

BE IT FURTHER RESOLVED that any violation of any provision of the Floodplain Management Code or failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with granting of variances) shall constitute a misdemeanor. Any person who violates this resolution or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent Atchison County or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

BE IT FURTHER RESOLVED that the Atchison County Floodplain Management Code shall take effect upon its passage and publication in the Atchison Daily Globe.

APPROVED October 31 2005, by the Board of County Commissioners of Atchison County,
Kansas.

ATTESTED:

Pauline Lee
Pauline Lee, County Clerk

George Ross
Chairman

Floyd Stovall
Member

Thomas Wagner
Member

At Cty/Resolution Floodplain Mgm.Code