

ORDINANCE NO. 87- 2

AN ORDINANCE ADOPTING THE "RECOMMENDED MODEL FLOOD DAMAGE PREVENTION ORDINANCE" PREPARED FOR THE KENTUCKY FLOOD CONTROL ADVISORY COMMISSION WHICH CONTAINS AN ARTICLE ENTITLED "STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES" WITH SECTIONS RELATED TO STATUTORY AUTHORIZATION, FINDINGS OF FACT, STATEMENT OF PURPOSE, AND OBJECTIVES; WHICH CONTAINS AN ARTICLE ENTITLED "DEFINITIONS"; WHICH CONTAINS AN ARTICLE ENTITLED "GENERAL PROVISIONS" WITH SECTIONS RELATED TO LANDS TO WHICH THIS ORDINANCE APPLIES, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, ESTABLISHMENT OF DEVELOPMENT PERMIT, COMPLIANCE, ABROGATION AND GREATER RESTRICTIONS, INTERPRETATION, WARNING AND DISCLAIMER OF LIABILITY, AND PENALTIES FOR VIOLATION; WHICH CONTAINS AN ARTICLE ENTITLED "ADMINISTRATION" WITH SECTIONS RELATED TO DESIGNATION OF LOCAL ADMINISTRATOR, PERMIT PROCEDURES, DUTIES AND RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR AND VARIANCE PROCEDURES; AND WHICH CONTAINS AN ARTICLE ENTITLED "PROVISIONS FOR FLOOD HAZARD REDUCTION" WITH SECTIONS RELATED TO GENERAL STANDARDS, SPECIFIC STANDARDS, STANDARDS FOR STREAMS WITHOUT ESTABLISHED BASE FLOOD ELEVATIONS AND/OR FLOODWAYS, STANDARDS FOR SUBDIVISION PROPOSALS, AND STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES) CONSISTING OF A TOTAL OF NINETEEN (19) PAGES; AND THIS ADOPTING ORDINANCE DESCRIBING THE PURPOSES OF THIS ORDINANCE AND CONTAINING A CLAUSE ADOPTING THE MODEL ORDINANCE, A CLAUSE RESTATING THE PENALTY SECTION OF THE MODEL ORDINANCE, AND A CLAUSE PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE,

WHEREAS, the City of Russellville has previously adopted a model flood damage prevention ordinance by passage of Ordinance No. 84-6, so that certain insurance protections would be available to the residents of the City of Russellville, Kentucky;

AND WHEREAS, it is now necessary to make certain changes as required by federal and state authorities, and said changes are set forth in the recommended model ordinance as referred to herein;

NOW THEREFORE BE IT ORDAINED BY THE CITY OF RUSSELLVILLE THAT:

1. The City of Russellville does hereby adopt the Recommended Model Flood Damage Prevention Ordinance prepared for the Kentucky Flood Control Advisory Commission, a copy of which is hereto attached, and incorporates that ordinance herein by reference as if fully copied herein including specifically, but not by way of limitation, the sections regarding "Effect on Previous Ordinances" and "Severability", which also apply to this adopting ordinance.

2. The substitutions allowed so that only the federal minimum standards are met, as set forth on pages 20 and 21 of the Recommended Model, are hereby enacted in place of the more stringent language contained in the body of the Recommended Model.

3. The following section regarding "Penalties" is restated in this adopting ordinance so that it will be published:

"Violation of the provisions of this ordinance or failure to comply with any of its requirements, including violation of the conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100.00 or imprisoned for not more than two (2) days, or both, 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 the City of Russellville from taking such other lawful action as is necessary to prevent or remedy any violation."

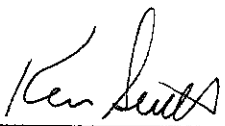
4. This ordinance shall be effective upon its passage and publication according to law.

This adopting ordinance is designated by the City of Russellville as a summary of the adopting ordinance and the Model Flood Damage Prevention Ordinance.

FIRST READING CONDUCTED this the 3rd day of March, 1987.

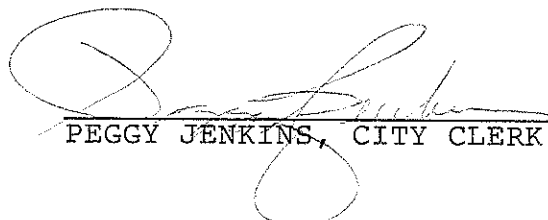
SECOND READING CONDUCTED AND PASSAGE by roll call vote this the 17 day of March, 1987.

AYES:	NAYS:	ABSENT:	ABSTAINING:
<u>Everett Daniel</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Jean Hankins</u>	_____	_____	_____
<u>Mark Bennett</u>	_____	_____	_____
<u>Russell Jones</u>	_____	_____	_____
<u>Gary Hancock</u>	_____	_____	_____
<u>Willie Hampton</u>	_____	_____	_____



 KEN SMITH, MAYOR

ATTEST:



 PEGGY JENKINS, CITY CLERK