

RESOLUTION #16-10

WHEREAS, certain areas of Duchesne County, Utah are subject to periodic flooding, mudslides (i.e. mudflows) or flood-related erosion, which may cause serious damage to properties within these areas; and

WHEREAS, relief is available in the form of federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the Duchesne County Commissioners to require the recognition and evaluation of flood, mudslide (i.e. mudflow) or flood-related erosion hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, the Duchesne County Commission has approved the Uintah Basin Disaster Mitigation Plan, which contains high priority goals and objectives to reduce the potential for flood and landslide damage in the county; and

WHEREAS, the Duchesne County Commission passed Resolution #05-10 on April 4, 2005 expressing the intent of Duchesne County to apply for participation in the National Flood Insurance Program and administer a Flood Plain Management Program; and

WHEREAS, participation in the National Flood Insurance Program (NFIP) will lead to the mapping of flood hazard areas, the establishment of base flood elevations, increased public awareness of flood hazards and the ability for property owners to purchase flood insurance through the NFIP; and

WHEREAS, the Duchesne County Commission has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Section 17-27a-501 of the Utah Code (County Land Use, Development and Management Act); and

WHEREAS, the Duchesne County Commission passed Ordinance #05-240 on October 24, 2005, which established a Flood Plain Overlay Zone, which would become effective upon the completion of flood plain mapping; and

WHEREAS, flood plain mapping has not been completed and it is now required that a jurisdiction be a participant in the NFIP before being considered for such mapping.

NOW, THEREFORE, BE IT RESOLVED that the Duchesne County Commission:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force, in those areas having flood, mudslide (i.e. mudflows) or flood-related erosion hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60.3 of the National Flood Insurance Program Regulations; and
2. Vests the Community Development Director with the responsibility, authority and means to:
 - (a) Assist the Administrator, at his/her request, in the delineation of the limits of the area having special flood, mudslide (i.e. mudflow) or flood-related erosion hazards.
 - (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide (i.e., mudflow) or flood-related erosion areas as the Administrator may request.
 - (c) Maintain for public inspection and furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map (FHBM) or Flood Insurance Rate Map (FIRM), any certificates of floodproofing, and information on the elevation (in relation to mean sea level) of the level of the lowest flood (including basement) of all new construction or substantially improved structures, and include whether or not such structures contain a basement, and if the structure

has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.

- (d) Cooperate with Federal, State and local agencies and private firms which undertake to study, survey, map and identify floodplain, mudslide (i.e., mudflow) or flood-related erosion areas, and cooperate with neighboring jurisdictions with respect to management of adjoining floodplain, mudslide, (i.e., mudflow) and/or flood-related erosion areas in order to prevent aggravation of existing hazards.
 - (e) Upon occurrence, notify the Administrator in writing whenever the boundaries of the jurisdiction have been modified by annexation or the county has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all Flood Hazard Boundary Maps and Flood Insurance Rate Maps accurately represent the county's boundaries, include within such notification a copy of the map of the county suitable for reproduction, clearly delineating the new corporate limits or new area for which the county has assumed or relinquished floodplain management regulatory authority.
 - (f) Submit on the anniversary date of the community's initial eligibility an annual report to the Administrator on the progress made during the past year within the community in the development and implementation of floodplain management measures.
3. Appoints the Community Development Director as the Floodplain Manager to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a Flood Hazard Boundary Map or Flood Insurance Rate Map, and certificates of flood proofing and information on the elevation (in relation to mean sea level) of the level of the lowest floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement, and if the structure has been flood proofed, the elevation (in relation to mean sea level) to which the structure was flood proofed.
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

PASSED this 14th day of November, 2016.

ATTEST:

DUCHESNE COUNTY
BOARD OF COMMISSIONERS

JoAnn Evans
County Clerk/Auditor

Ronald Winterton, Chairman

Ken Burdick, Commissioner

Greg Todd, Commissioner