

ORDINANCE NO. 1-2017

**AN ORDINANCE ESTABLISHING NEW MADISON COUNTY FLOOD PLAIN HAZARD
MANAGEMENT REGULATIONS FOR UNINCORPORATED AREAS OF THE COUNTY AND
REPEALING ORDINANCE 2-97**

WHEREAS, recurrent flooding of a portion of the states land resources causes loss of life, damage to property, disruption of commerce and governmental services, and unsanitary conditions, all of which are detrimental to the health, safety, welfare, and property of the occupants of flooded lands and the people of this state (MCA 76-5-101(1)); and

WHEREAS, the public interest necessitates management and regulation of flood-prone lands and water in a manner consistent with sound land water use management practices which will prevent and alleviate flooding threats to life and health and reduce private and public economic losses (MCA 76-5-101(2)); and

WHEREAS, the Madison County Board of Commissioners has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Section 76-5-101 et seq., MCA; and

WHEREAS, Madison County adopted Ordinance 2-97, Madison County Floodplain Management Regulations including flood prone area maps, on March 24, 1997; and

WHEREAS, communities participating in the National Flood Insurance Program are required to have up to date floodplain management regulations; and

WHEREAS, the Montana Department of Natural Resources and Conservation recognized the Big Hole River Approximate Level Floodplain Study and Maps dated August 15, 2014 through their Final Order dated January 13, 2015; and

WHEREAS, local regulations are required to be updated to the current State and FEMA minimum regulatory standards; and

WHEREAS, the Madison County Planning Board reviewed the proposed Madison County Floodplain Hazard Management Regulations, held a public hearing on the proposed regulations on January 30, 2017 at which there were no comments or written statements opposing the regulations, and moved to recommend the proposed regulations be adopted.

NOW, THEREFORE BE IT ORDAINED, as follows:

The Madison County Floodplain Hazard Management Regulations attached to this document are a part of this ordinance and hereby replace the Ordinance #2-97, An Ordinance for Madison County Floodplain management.

PASSED AT FIRST READING by the Madison County Board of Commissioners this _____ day of _____, 2017.

ATTEST:

APPROVED:

Kathleen Mumme
Clerk and Recorder
Madison County

James P. Hart, Chairman

Dan W. Allhands

Ronald E. Nye
Board of Commissioners
Madison County

This Ordinance shall take effect as of _____, 2017

PASSED AT SECOND READING by the Madison County Board of Commissioners
this _____ day of _____, 2017

ATTEST:

APPROVED:

Kathleen Mumme
Clerk and Recorder, Madison County

James P. Hart, Chairman

Dan W. Allhands

Ronald E. Nye
Board of Commissioners, Madison County