


ORDINANCE NO. O-05-04

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF A FLOOD DAMAGE PREVENTION PROGRAM FOR ARKADELPHIA, ARKANSAS AND FOR OTHER PURPOSES

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF ARKADELPHIA THAT:

Section 1. FLOOD DAMAGE PREVENTION CODE ADOPTED BY REFERENCE.  There is hereby adopted by reference a Flood Damage Prevention Code dated January 1, 2005. Such flood damage prevention code having been delegated by the legislature of the State of Arkansas and set forth in Act 629 of 1969, As Amended. A copy of the referenced code shall be filed in the office of the City Clerk and shall be available for inspection and copying by any person during normal office hours. The code shall include:

- ARTICLE 1                      Statutory authorization, finding of fact, purpose and methods
- ARTICLE 2                      Definitions
- ARTICLE 3                      General provisions
- ARTICLE 4                      Administration
- ARTICLE 5                      Provisions for flood hazard reduction

Section 2. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) 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 \$1,000 or imprisoned for not more than one year, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the City of Arkadelphia from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 3. It is hereby found and declared by the City of Arkadelphia, Arkansas that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in the infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction.

In order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective.

Section 4. Severability – If any section of this ordinance shall be declared unconstitutional or unlawful, only that section of the ordinance shall be affected and all other provisions of the ordinance shall remain in full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED this 24th, day of March 2005.

APPROVED: \_\_\_\_\_  
C.T. Hollingshead, Mayor

ATTEST: \_\_\_\_\_  
Rendi Currey, City Clerk