RESOLUTION # 2008-02-149

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WHEREAS, certain areas of **the City of Tontitown**, are subject to periodic flooding, causing serious damages to properties within these areas; and

WHEREAS, it is the intent of this **City Council** to require the recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to the Legislature of the State of Arkansas in Ark. Code Ann. § 14-268-101 et seq.

NOW, THEREFORE, BE IT RESOLVED, that this **City Council** hereby:

1. Assures the Federal Emergency Management Agency that it will enact as necessary, and maintain in force, in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 60 of the National Flood Insurance Program Regulations; and

2. Vests the **Mayor** of **Tontitown** with the responsibility, authority and means to:

> (a) Assist the Federal Insurance Administrator, at his/her request, in the delineation of the limits of the area having special flood hazards.

> (b) Provide such information concerning present uses and occupancy of the floodplain, mudslide or flood-related erosion areas as the Federal Insurance 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 or flood-related erosion areas, and cooperate with neighboring communities with respect to management of adjoining floodplain, mudslide and/or flood-related erosion areas in order to prevent aggravation of existing hazards.

> (e) Upon occurrence, notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or

the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that all FHBM's and FIRM's accurately represent the community's boundaries, include within such notification a copy of the map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.

(f) Submit an annual report to the Federal Insurance Administrator concerning the community's participation in the program, including, but not limited to the development and implementation of floodplain management measures.

3. Appoints **the Mayor** of **Tontitown** with the responsibility, authority, and means to implement the commitments as outlined in this Resolution.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the adopted floodplain management measures.

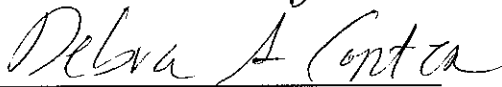**PASSED AND APPROVED THIS 5th DAY OF FEBRUARY, 2008.**

_____
City Clerk

_____
Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Tontitown, Arkansas, do hereby certify that the above is a true and correct copy of a resolution duly passed by the City Council at a meeting duly convened on _February 5_, 2008.

_____
City Clerk

(SEAL)