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ORDINANCE NO. 2973

AN ORDINANCE TO REVISE AND UPDATE THE PAOLA FLOODPLAIN MANAGEMENT ZONING REGULATIONS BY REPEALING SECTIONS 05.230, 05.231, 20.350, 21.251-K, 21.255, AND 23.400 OF THE PAOLA LAND DEVELOPMENT ORDINANCE AND INCORPORATING BY REFERENCE NEW FLOODPLAIN ZONING REGULATIONS BASED ON THE MODEL RECOMMENDED BY FEMA AND THE KANSAS DEPARTMENT OF AGRICULTURE.

WHEREAS, in accordance with Kansas Statute, the City of Paola currently regulates and manages floodplain zoning development through its floodplain zoning regulations found in Sections 05.230, 05.231, 20.350, 21.251-K, 21.255, AND 23.400 of the Paola Land Development Ordinance; and

WHEREAS, in accordance with state and federal law, all such floodplain zoning regulations must be approved by the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program and must coordinate with the requirements and regulations of the National Flood Insurance Act of 1968 as amended; and

WHEREAS, the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program and the officials of the Federal Emergency Management Agency (FEMA) Region VII have recommended that the City Of Paola revise its floodplain management zoning regulations and adopt new regulations based upon the recommended model floodplain management regulations;

WHEREAS, upon the recommendation of the Planning Commission, the Governing Body has determined that is in the best interest of Paola to revise and update the City of Paola floodplain management zoning regulations by repealing the City of Paola current floodplain management zoning regulations and adopting and incorporating by reference new regulations based upon the recommended model floodplain management zoning regulations;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF PAOLA, KANSAS:

SECTION 1. That Sections 05.230, 05.231, 20.350, 21.251-K, 21.255, AND 23.400 of the Paola Land Development Ordinance is hereby repealed.

SECTION 2. That the Paola Land Development Ordinance is hereby amended by adding a new Article 16, which reads as follows:

INCORPORATION OF FLOODPLAIN MANAGEMENT ZONING ORDINANCE.

Pursuant to the provisions of K.S.A. 12-3009, 12-3010 and 12-3301, there is hereby incorporated by reference for the purpose of providing floodplain zoning regulations within the City of Paola, Kansas, all of the zoning regulations contained in that document thereafter known and referred to

as “Article 16 Floodplain Management Ordinance for the City of Paola, Kansas,” which is based upon and modeled after the Model Floodplain Management Ordinance as approved and recommended by the Federal Emergency Management Agency Region VII and the Kansas Department of Agriculture, Division of Water Resources, Floodplain Program.

No fewer than three copies of the Floodplain Management Ordinance for the City of Paola, Kansas, shall be marked or stamped “Official Copy as incorporated by Ordinance No. 2973 of the City of Paola, Kansas,” and such copies shall be filed with the city clerk to be open to inspection and available to the public at all reasonable business hours, provided that such official copies may not be removed from city hall. All city officials requiring the use of the Floodplain Management Ordinance for the City of Paola, Kansas, shall be supplied, at the expense of the City, such number of official copies of such ordinance as may be deemed expedient by the Governing Body.

SECTION 3. This ordinance shall take effect and be in force as of the date of its passage, approval, and publication as provided by law.

PASSED BY the Council this 22nd day of July 2008.

APPROVED BY the Mayor this 22nd day of July 2008.

Artie Stuteville, Mayor

ATTEST: (SEAL)

Daniel G. Droste, City Clerk