STILLWATER COUNTY

RESOLUTION 2015- 39

A RESOLUTION TO ADOPT FLOODPLAIN HAZARD MANAGEMENT REGULATIONS

WHEREAS, Floodplain and Floodway Management is incorporated into Montana Code Annotated (MCA) Title 76, Chapter 5, which describes the authority, procedures, and minimum standards for local floodplain and floodway management regulations; and

WHEREAS, The authority to regulate development in specifically identified flood hazard areas is granted to political subdivisions of the State of Montana pursuant to 76-5-301, MCA, and

WHEREAS, as part of the federal, state, and local governments’ adoption of modernized floodplain mapping, new Floodplain Hazard Management Regulations must be adopted by Stillwater County no later than October 16, 2015, for Stillwater County to remain a participating community in the National Flood Insurance Program (NFIP); and

WHEREAS, The proposed new regulations are intended to replace existing Floodplain Regulations dated March 4, 1991, adopted by Stillwater County Resolution 91-2, and,

WHEREAS, Flood hazard areas specifically adopted as 100-year Floodplains have been delineated and designated by the Department of Natural Resources and Conservation (DNRC) and the Federal Emergency Management Agency (FEMA) Pursuant to 76-5-201, MCA; and

WHEREAS, The specific purposes and intents of the Floodplain Hazard Management Regulations are listed in Sub-Section 1.4 of the regulations, and generally promote public health, safety and general welfare of the residents and minimize public and private losses due to flood conditions in 100 year Floodplains; and

WHEREAS, The May 2015 draft of the regulations have been reviewed by DNRC and FEMA, and with requested modifications by DNRC, have been found to meet the prescribed minimum standards for development and procedures; and,

WHEREAS, Legal notices of the proposed Floodplain Hazard Management Regulations and September 29, 2015, public hearing of the Board of Stillwater County Commissioners were published in the Stillwater County News on September 10 and September 17, 2015, and

WHEREAS, The Board of Stillwater County Commissioners met on September 29, 2015, at 11:00 AM and conducted a public hearing on the regulations following the required public notice procedures, and

WHEREAS, The Board has set the fee to process floodplain permit applications at $150.00 fee, and,

WHEREAS, The proposed regulations and passage of this Resolution, the Board of Stillwater County Commissioners has determined that the Floodplain Hazard Management Regulations meet the statutory purposes and requirements to comply with the Montana Floodplain Management Act to remain a participating community in the NFIP.

NOW, THEREFORE, BE IT RESOLVED, the Board of Stillwater County Commissioners hereby adopts the Floodplain Hazard Management Regulations, effective October 16, 2015. The
previous floodplain regulations dated March 4, 1991, adopted by Stillwater County Resolution 91-2, are hereby replaced by attached Floodplain Management Regulations. Copies of the regulations, the referenced Stillwater County Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs), dated October 16, 2015, are available from the Stillwater County Environmental Health Department.

BE IT FURTHER RESOLVED, This resolution and the attached regulations will be filed with the Stillwater County Clerk and Recorder’s Office.

DATED this 6th Day of October, 2015.

BOARD OF COMMISSIONERS
STILLWATER COUNTY

Dennis Shupak, Chair

Maureen Davey, Member

Gerald W. Dell, Member

ATTEST: Heidi L. Stadel, Clerk & Recorder