

Introduced by: Mayor, McClure
Date: 02/15/11
Shortened Hearing: 03/01/11
Action: Enacted as Amended
Vote: 8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2011-02**

**AN ORDINANCE EXTENDING THE SUNSET PROVISION OF
ORDINANCE 2009-09 (SUBSTITUTE) AND ORDINANCE 2010-17
REGULATING FLOOD HAZARD AREAS IN THE SEWARD-BEAR
CREEK FLOOD SERVICE AREA**

WHEREAS, flooding has repeatedly occurred in the Seward-Bear Creek Flood Service Area (SBCFSA); and

WHEREAS, the Kenai Peninsula Borough assembly established provisions in ordinances 2009-09 (Substitute) and 2010-17, including establishment of the Seward Mapped Flood Data Area (SMFDA) pending the Federal Emergency Management Agency's (FEMA) completion and subsequent assembly adoption of new Digital Federal Insurance Rate Maps (DFIRMs); and

WHEREAS, a letter from FEMA presenting final DFIRMs for the SBCFSA has not yet been received; and

WHEREAS, the Kenai Peninsula Borough will have six months from the date of that FEMA letter to accept and adopt the new DFIRMs; and

WHEREAS, the SMFDA was amended by Ordinance 2010-17; and

WHEREAS, the SMFDA sunsets on March 4, 2011, pursuant to Ordinance 2009-09 (Substitute) and Ordinance 2010-17; and

WHEREAS, the borough's best interest will be served by extending Ordinance 2009-09 (Substitute) to a time following adoption of the DFIRMs; and

WHEREAS, at its meeting of February 14, 2011, the Kenai Peninsula Borough Planning Commission recommended approval;

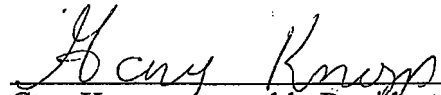
NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That Ordinance 2009-09 (Substitute) as amended by Ordinance 2010-17 shall remain in effect until time of assembly adoption of the final DFIRMs of the SMFDA, at which time it shall automatically expire unless the Assembly alters or extends that date by ordinance.

SECTION 2. That the assembly supports the administration's continued efforts to identify and pursue appropriate remedies that would aid property owners to minimize flood related hazards.

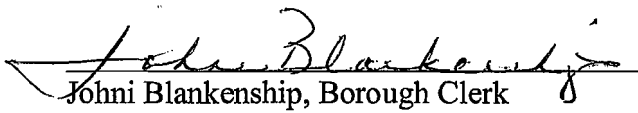
SECTION 3. This ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 1ST DAY OF MARCH, 2011.



Gary Knopp, Assembly President

ATTEST:


Johni Blankenship, Borough Clerk



Yes: Haggerty, Johnson, McClure, Pierce, Smalley, Smith, Tauriainen, Knopp
No: None
Absent: Murphy