

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF BENSON, COCHISE COUNTY, ARIZONA, AFFIRMING THE CITY'S PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM AND ACKNOWLEDGING THE ADOPTION BY REFERENCE OF THE REVISED FLOOD INSURANCE STUDY AND FLOOD INSURANCE RATE MAPS, AND FLOODPLAIN MANAGEMENT REGULATIONS; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTION; PROVIDING FOR SEVERABILITY.

WHEREAS, the City of Benson, Arizona, now participating through the Cochise County Flood Control District, joined the National Flood Insurance Program (NFIP) on June 25, 1976, and,

WHEREAS, the Cochise County Flood Control District, acting on behalf of the City of Benson and under the provisions of the National Flood Insurance Program, is the entity responsible for floodplain administration within the City; and,

WHEREAS, the continued participation in the National Flood Insurance Program is in the best interest of the citizens of the City of Benson; and,

WHEREAS, the Federal Emergency Management Agency will publish a Flood Insurance Study August 16, 2006, and Flood Insurance Rate Maps August 16, 2006 for Cochise County that will include portions of the City of Benson; and,

WHEREAS, each community that participates in the National Flood Insurance Program is required to adopt floodplain management regulations consistent with Federal criteria; and,

WHEREAS, the City of Benson has not elected to assume all of the powers and duties of the floodplain management from the Flood Control District of Cochise County as provided for in ARS 48-3610, and as a result, is included within and under the jurisdiction and authority of Cochise County Flood Control District; and,

WHEREAS, the Flood Control District of Cochise County has adopted Floodplain Regulations that meet the requirements of the National Flood Insurance Program; and

WHEREAS, those certain documents entitled "Flood Insurance Study for Cochise County and Incorporated Areas " dated August 16, 2006 and Flood Insurance Rate Maps dated August 16, 2006 and "Floodplain Management Regulations for Cochise County" and all subsequent amendments and/or revisions are hereby designated as public records and will be available for public inspection upon release.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Benson, Arizona, as follows:

Section 1. The City Manager of the City of Benson, or his designee, will be responsible for all floodplain related activity within this City and will serve as the community point of contact on National Flood Insurance Program issues for the County, State and Federal officials. The City of

Benson hereby affirms its continued participation in the National Flood Insurance Program, as indicated herein.

Section 2. Those public records entitled "Flood Insurance Study (FIS) for Cochise County and Incorporated Areas" dated August 16, 2006 with accompanying Flood Insurance Rate Maps (FIRMs) dated August 16, 2006 and all subsequent amendments and/or revisions, three (3) copies of which shall be kept on file in the office of the City Clerk, are hereby adopted by reference, as the basis for establishing the special flood hazard areas for floodplain management in the City of Benson. The special flood hazard areas documented in the Flood Insurance Study and Flood Insurance Rate Maps are the minimum area of applicability of the floodplain management regulations and may be supplemented by studies for other areas as allowed in the regulations.

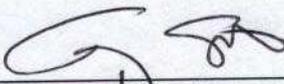
Section 3. That public record in the Floodplain Management Regulations for Cochise County dated April 9, 2002, and amended February 1, 2003, as adopted by the Cochise County Flood Control District, three copies of which shall be kept on file in the office of the City Clerk, are hereby recognized and acknowledged as the legal basis for implementing floodplain management in this community.

Section 4. Repeal of conflicting resolutions. All resolutions and parts of resolutions in conflict with this resolution are hereby repealed.

Section 5. Severability. If any portion of this ordinance is determined by a court of competent jurisdiction to be invalid, all remaining portions of this ordinance shall remain in full force and effect.

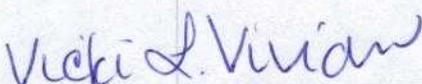
Section 6. Providing for penalties as provided for in the Floodplain Regulations.

PASSED, ADOPTED AND APPROVED by the Mayor and Council of the City of Benson, Cochise County, Arizona, this 10th day of July, 2006.



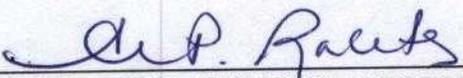
GEORGE SCOTT, MAYOR

ATTEST:



VICKI L. VIVIAN, CITY CLERK

APPROVED AS TO FORM:



ANN P. ROBERTS, CITY ATTORNEY