

**CITY OF THREE FORKS, MONTANA**

**ORDINANCE NO. 377 -2017**

**AN ORDINANCE AMENDING TITLE 12, CHAPTER 1, SECTION 7 TO IMPLEMENT AN AFTER-THE-FACT FLOODPLAIN PERMIT FEE**

**WHEREAS**, the City of Three Forks has an average of 12 floodplain permits per year over the last three years; and

**WHEREAS**, it is estimated that at least one quarter (1/4) of those permits are applied for after-the-fact of a foundation already being poured or a building being delivered or constructed; and

**WHEREAS**, with much of the City of Three Forks being within the 1% chance of a flood on the Federal Emergency Management Agency's Flood Insurance Rate Map (FIRM), many zoning permits also require that a floodplain permit must first be obtained in order to mitigate flood damage to the subject property and other properties; and

**WHEREAS**, the City of Three Forks makes many attempts to educate the public regarding the requirements of a floodplain permit and a zoning permit by informing new customers upon sign-up for water/sewer service with building rules and guideline sheet, by adding notes on our water/sewer bills, and by publishing educational materials on our websites and on social media yet many violations still occur; and

**WHEREAS**, processing after the fact floodplain permits causes a significant increase of the City time and personnel resources than do permits which are presented prior to commencement of any act; as such staff recommends implementing an after-the-fact fee at twice the rate of regular floodplain permits.

**NOW THEREFORE BE IT ORDAINED** by the Three Forks City Council, that Title 12, Chapter 1, Section 7 is amended as follows:

**12-1-7: DEVELOPMENT PERMIT:**

C: Application For Permit; Contents: A fee shall be paid for each application. The city council shall establish the fee, or after-the-fact fee, by resolution. Application for a development permit shall be made on forms furnished by the city floodplain administrator and may include, but not be limited to, plans in duplicate, drawn to scale, showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required: (amd. Ord. #377-2017, 12/12/2017):

*[Same as currently in §12-1-7-C.1 through C.4]*

SAVE AND EXCEPT for the amendments described herein, the remaining provisions of this Title, Chapter and Section are hereby confirmed and ratified as adopted.

**1<sup>st</sup> Reading and Approval:** DATED this 28<sup>th</sup> day of November, 2017.



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Mayor Steven B. Hamilton



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Attest: Crystal Turner, City Clerk

**2<sup>nd</sup> Reading and Approval:** DATED this 12<sup>th</sup> day of December, 2017.

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Mayor Steven B. Hamilton

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Attest: Crystal Turner, City Clerk