

CHAPTER 1

AUTHORITY, FINDINGS AND PURPOSE

SECTION:

12-1-1: Statutory Authorization

12-1-2: Findings Of Fact

12-1-1: **STATUTORY AUTHORIZATION:** The constitution of the state of Idaho has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry, in furtherance of which the county commissioners of Cassia County, state of Idaho, do adopt this title. (Ord. 87-3, 3-23-1987)

12-1-2: **FINDINGS OF FACT:**

- A. Effects Of Flooding: The flood hazard areas of Cassia County are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- B. Causes Of Flooding: These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.
- C. Statement Of Purpose: It is the purpose of this title to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

1. Protection Of Life: To protect human life and health;
 2. Expenditures: To minimize expenditure of public money and costly flood control projects;
 3. Rescue And Relief Efforts: To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 4. Business Interruptions: To minimize prolonged business interruptions;
 5. Public Facilities: To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
 6. Tax Base: To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
 7. Notification Of Buyers: To ensure that potential buyers are notified that property is in an area of special flood hazard; and
 8. Personal Responsibility: To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.
- D. Methods Of Reducing Flood Losses: In order to accomplish its purposes, this title includes methods and provisions for:
1. Dangerous Uses: Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
 2. Vulnerable Uses: Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
 3. Alteration Of Floodplains: Controlling the alteration of natural floodplains, stream channels, and natural protective barriers which help accommodate or channel floodwaters;

4. Filling And Grading: Controlling filling, grading, dredging, and other development which may increase flood damage; and
5. Flood Barriers: Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas. (Ord. 87-3, 3-23-1987)