

CHAPTER 3

GENERAL PROVISIONS

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12-3-1: **APPLICABILITY:** This title shall apply to all areas of special flood hazard within the jurisdiction of Cassia County. (Ord. 87-3, 3-23-1987)

12-3-2: **AREAS OF SPECIAL FLOOD HAZARD:** The areas of special flood hazard identified by the federal insurance administration in a scientific and engineering report entitled "The Flood Insurance Study for Cassia County", dated August 15, 1983, with accompanying flood insurance maps are hereby adopted by reference and declared to be a part of this title. The flood insurance study is on file in the county clerk's office at the Cassia County courthouse. (Ord. 87-3, 3-23-1987)

12-3-3: **PENALTIES:** No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this title and other applicable regulations. Violation of the provisions of this title by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this title or fails to comply with any of its requirements shall, upon conviction thereof, be punished as set forth in section 1-4-1 of this code for each

violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the county commissioners from taking such other lawful action as is necessary to prevent or remedy any violation. (Ord. 87-3, 3-23-1987; amd. 2003 Code)

12-3-4: **ABROGATION AND GREATER RESTRICTIONS:** This title is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this title and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 87-3, 3-23-1987)

12-3-5: **INTERPRETATION:** In the interpretation and application of this title, all provisions shall be:

- A. Considered as minimum requirements;
- B. Liberally construed in favor of the governing body; and
- C. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 87-3, 3-23-1987)

12-3-6: **WARNING AND DISCLAIMER OF LIABILITY:** The degree of flood protection required by this title is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This title does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This title shall not create liability on the part of Cassia County, any officer or employee thereof, or the federal insurance administration, for any flood damages that result from reliance on this title or any administrative decision lawfully made hereunder. (Ord. 87-3, 3-23-1987)