

Introduced by:	McClure
Date:	02/16/10
Shortened Hearing:	03/02/10
Action:	Enacted
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH  
ORDINANCE 2010-11**

**AN ORDINANCE EXTENDING FOR SIX WEEKS THE SUNSET DATE OF  
ORDINANCE 2009-09, CREATING A FLOOD HAZARD DISTRICT WITHIN THE  
SEWARD-BEAR CREEK FLOOD SERVICE AREA**

**WHEREAS,** Ordinance 2009-09 established a flood hazard district within the Seward-Bear Creek Flood Service Area (SBCFSA); and

**WHEREAS,** Ordinance 2009-09 contains a sunset clause of March 24, 2010; and

**WHEREAS,** the Flood Plain Task Force's last meeting has been scheduled for March 10, 2010, prior to the sunset date of Ordinance 2009-09, at which it is expected to make a recommendation regarding extension of the sunset clause for the Seward Mapped Flood Data Area ("SMFDA"); and

**WHEREAS,** there should be opportunity for a staff report regarding the effectiveness of the SMFDA, Flood Plain Task Force review of that report, SBCFSA review, and planning commission review and recommendations prior to assembly consideration of extending the sunset date; and

**WHEREAS,** the SBCFSA will meet March 1, 2010, and the planning commission will meet February 22, 2010; and

**WHEREAS,** a brief extension of the sunset date allows time for adequate consideration by the Flood Plain Task Force, SBCFSA and borough planning commission as to the final disposition of the sunset clause; and

**WHEREAS,** there is only one assembly meeting in March; and

**WHEREAS,** shortened hearing is necessary in order to extend the sunset date prior to its expiration; and

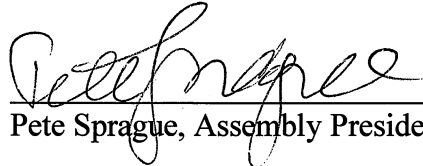
**WHEREAS,** the assembly meets in Seward on May 4, 2010;

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

**SECTION1.** The automatic expiration date of March 24, 2010, for Ordinance 2009-09 is hereby extended to May 5, 2010, at which time Ordinance 2009-09 will automatically expire unless the assembly by ordinance alters or extends that date.

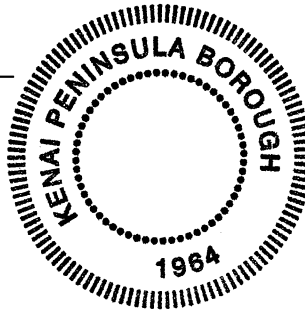
**SECTION 2.** That this ordinance is effective on the date of its enactment.

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 2ND DAY OF MARCH, 2010.**

  
Pete Sprague, Assembly President

ATTEST:

  
John Blankenship, Borough Clerk



Yes: Haggerty, Knopp, McClure, Pierce, Smalley, Smith, Superman, Sprague  
No: None  
Absent: Fischer