

**ORDINANCE NO. 17-101**

**AN ORDINANCE REGULATING STORMWATER RUNOFF WITHIN THE CITY LIMITS OF THE CITY OF MERIDEN, KANSAS**

**BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF MERIDEN, KANSAS:**

**Section 1:**

General prohibitions and duties.

(a) *Landowners and Private drainage systems.* The owner of any land or private drainage system shall maintain the system or land to prevent or reduce the discharge of pollutants into the stormwater management system or surface waters. This maintenance shall include, but is not limited to, sediment removal, bank erosion repairs, maintenance of vegetative cover, and removal of debris from pipes and structures. Land owners must also take reasonable measure to prevent erosion, such as installing silt fencing, terracing, planting, etc.

(b) *Paved surfaces.* The owner of any paved parking lot, street or drive shall clean the pavement as required to prevent the buildup and discharge of pollutants. The visible buildup of mechanical fluid, waste materials, sediment or debris is a violation of this ordinance. Paved surfaces shall be cleaned by dry sweeping, wet vacuum sweeping, collection and treatment of wash water or other methods in compliance with this article.

(c) *Vehicles and equipment.* Any leak or spill related to vehicle or equipment maintenance in an outdoor, uncovered area shall be cleaned and contained to prevent the potential release of pollutants into the stormwater management system or surface waters.

(d) *Materials storage.* Materials shall be stored to prevent the potential release of pollutants into the stormwater management system or surface waters.

Mandatory discharge clean-up and reporting.

(a) *Clean-up required.* If any person releases, or causes to be released, any prohibited substance into the stormwater management system or surface waters, such person shall take all necessary steps to contain, abate, or clean up such discharge.

(b) *Reporting required.* If any person releases, or causes to be released, any prohibited substances into the stormwater management system or surface waters, such person shall notify the City in person or by phone or facsimile no later than 5:00 p.m. of the next business day. Provided that, if any person releases, or causes to be released, any hazardous substance, such person shall immediately notify emergency response agencies via emergency dispatch services.

General requirements for construction activity.

The owner, contractor, or agent responsible for any construction site, subdivision development, or utility construction site shall:

(a) Provide, use, and maintain waste or recycling containers to contain solid waste or pollutants during construction activity. Contain rubbish, garbage, and similar materials so that the materials will not blow, wash, or otherwise be discharged from the site.

(b) Implement and maintain methods to prevent the discharge of sediment until vegetation is sufficiently established to prevent erosion and tracking. Prevent tracking or erosion of sediment onto streets, sidewalks and alleys if such tracking interferes with the use or safety of the public ways or will enter the stormwater management system or surface waters. Immediately clean up and remove any sediment that has tracked or eroded in violation of this section. Seed any ground that has been cleared with in fourteen days if there is no construction activity on it.

Violations, enforcement, and penalties.

(a) *Right of entry, inspection, and sampling.* Whenever the city has cause to believe that there exists, or potentially exists, in or upon any premises any condition which constitutes a violation of this article, the city, its employees or designees shall have the right to enter the premises at any reasonable time to determine compliance with this ordinance.

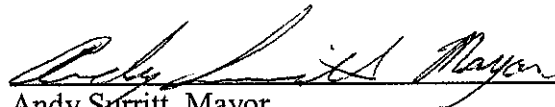
(b) *Abatement.* A violation of any provision of this article is hereby declared to be and constitute a nuisance. In addition to any other civil or criminal penalties imposed by law, the city may pursue abatement of the nuisance condition pursuant to 6-301 of the Code.

(c) *Criminal penalties.* A violation of any provision of this article is a misdemeanor offense to which the general penalty of section of this code applies. Each day any violation of this article continues shall constitute a separate offense.

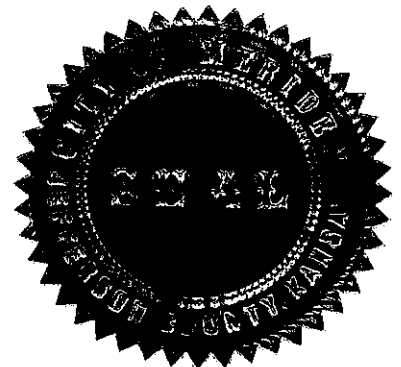
**Section 2. REPEAL.** Any Ordinance or Resolution in conflict herewith is hereby repealed.

**Section 3. EFFECTIVE DATE.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND ADOPTED THIS 9<sup>th</sup> DAY OF June, 2009 BY THE GOVERNING BODY OF THE CITY OF MERIDEN, KANSAS.

  
Andy Surritt, Mayor

  
Carrie Daniels, City Clerk



**AFFIDAVIT OF PUBLICATION**

STATE OF KANSAS )  
 ) ss:  
JEFFERSON COUNTY )

Clarke E. Davis and/or Marveta F. Davis and/or Corey L. Davis, being first duly sworn, deposes and says: That they are the business managers of *The Valley Falls Vindicator* a weekly newspaper printed in the State of Kansas, and published in and of general circulation in Jefferson County, Kansas, with a general paid circulation on a weekly, monthly, or yearly basis in Jefferson County, Kansas, and that said newspaper is not a trade, religious, or fraternal publication.

Said newspaper is a weekly published at least 50 times a year; has been so published continuously and uninterrupted in said county and state for a period of more than five years prior to the first publication of said notice; and has been admitted at the post office of Valley Falls, Kansas, in said county as second class matter.

That the attached notice is a true copy thereof and was published in the regular and entire issue of said newspaper for one

consecutive weeks, the first publication thereof being made as aforesaid on the 18th day of

June, 2009, with subsequent publications being made on the following dates:

- \_\_\_\_\_, 20\_\_\_\_,
- \_\_\_\_\_, 20\_\_\_\_,
- \_\_\_\_\_, 20\_\_\_\_,
- \_\_\_\_\_, 20\_\_\_\_.

Corey L. Davis  
Subscribed and sworn to before me this 18th day of

June, 2009  
Margaret A. Collier  
Notary Public

My commission expires 9-3-10

Printer's fee \$ 107.10

Proof \$ 4.00

Total Charge \$ 111.10



**PUBLIC NOTICE**

(Published in The Valley Falls Vindicator June 18, 2009)It

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(b) Abatement. A violation of any provision of this article is hereby declared to be and constitute a nuisance. In addition to any other civil or criminal penalties imposed by law, the city may pursue abatement of the nuisance condition pursuant to 6-301 of the Code.

(c) Criminal penalties. A violation of any provision of this article is a misdemeanor offense to which the general penalty of section of this code applies. Each day any violation of this article continues shall constitute a separate offense.

Section 2. REPEAL. Any Ordinance or Resolution in conflict herewith is hereby repealed.

Section 3. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

PASSED AND ADOPTED THIS 9th DAY OF JUNE, 2009 BY THE GOVERNING BODY OF THE CITY OF MERIDEN, KANSAS.

Andy Surritt, Mayor

Carrie Daniels, City Clerk (SEAL)

# RESOLUTION TO BE USED BY CITIES WHEN APPLYING FOR PARTICIPATION IN THE NFIP

Resolution Number: 2009-02

WHEREAS, certain areas of the City of Meriden are subject to periodic flooding causing serious damages to properties within these areas; and

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of this City Council to require recognition and evaluation of flood hazards in all official actions relating to land use in areas having these hazards; and

WHEREAS, this body has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to KSA 12-766.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Meriden hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force in those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the Criteria set forth in Section 60.3 of the National Flood Insurance Program regulations; and
2. Vests Maintenance Supervisor and City Office with the responsibility, authority, and means to:
  - a. Assist the Federal Insurance Administrator, at his/her request, in delineating the limits of the areas having special flood hazards;
  - b. Provide such information as the Administrator may request concerning present uses and occupancy of the floodplain areas;
  - c. Cooperate with Federal, State, and local agencies and private firms which undertake to study, survey, map, and identify floodplain areas, and cooperate with neighboring communities and the county with respect to management of adjoining floodplain areas in order to prevent aggravation of existing hazards;
  - d. When received from the Administrator, complete and submit those reports which advise the Administrator on the progress made within the community in the development and implementation of floodplain management measures; and
  - e. Upon occurrence, notify the Administrator in writing whenever the boundaries of the community have been modified by annexation or loss of authority to adopt and enforce floodplain management regulations for a particular area. Included in such notification will be a map of the community, suitable for reproduction, which clearly delineates the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
3. Appoints Doug Persing, Maintenance Supervisor, to maintain for public inspection and to furnish upon request, for the determination of applicable flood insurance risk premium rates any certificates of floodproofing and information on the elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures; and
4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the Program.

ADOPTED AND PASSED, by the City Council of the City of Meriden this 14<sup>th</sup> day of July, 2009.

Attest:

Mayor

City Clerk



ORIGINAL

**Resolution Adoption by Reference**

Pursuant to the provisions of K.S.A. 12-3009, 12-3010, and 12-3301

**Resolution No. 2009-04**

AN ORDINANCE TO ESTABLISH THE Meriden, KANSAS FLOODPLAIN MANAGEMENT REGULATIONS BY REFERENCE NEW FLOODPLAIN ORDINANCE BASED ON THE MODEL RECOMMENDED BY FEMA AND THE KANSAS DEPARTMENT OF AGRICULTURE.

WHEREAS, in accordance with state and federal law, all such floodplain regulations must be approved by the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources and must coordinate with the requirements of the National Flood Insurance Act of 1968 as amended; and

WHEREAS, the Chief Engineer of the Kansas Department of Agriculture, Division of Water Resources and the officials of the Federal Emergency Management Agency (FEMA) Region VII have recommended that Meriden, Kansas revise its floodplain management regulations and adopt new regulations based upon the recommended model floodplain management regulations;

WHEREAS, the City Council has determined it is in the best interest of Meriden, Kansas to create Meriden, Kansas floodplain management regulations and incorporating by reference new regulations based on the model floodplain management zoning regulations;

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF Meriden, KANSAS:

**SECTION 1.**

That the Meriden, Kansas Floodplain Management Ordinance No. 18-101 is hereby created, which reads as follows:

**INCORPORATION OF FLOODPLAIN MANAGEMENT ORDINANCE.** Pursuant to the provisions of K.S.A. 12-3009, 12-3010 and 12-3301, there is hereby incorporated by reference for the purpose of providing floodplain zoning regulations within Meriden, Kansas all of the regulations contained in that document thereafter known and referred to as the "**Floodplain Management Ordinance for Meriden, Kansas**", which is based upon and modeled after the Model Floodplain Management Ordinance as approved and recommended by the Federal Emergency Management Agency Region VII and the Kansas Department of Agriculture, Division of Water Resources.

No fewer than three copies of the Floodplain Management Ordinance for Meriden, Kansas, shall be marked or stamped "Official Copy as incorporated by Resolution no. 2009-04 of Meriden, Kansas," and such copies shall be filed with the City Clerk to be open for inspection and available to the public at all reasonable business hours, provided that such official copies may not be removed from the Community Building. All City officials requiring the use of the Floodplain Management Ordinance for Meriden, Kansas, shall be supplied, at the expense of the City such number of official copies of such ordinance as may be deemed expedient by the Governing Body.

**SECTION 2.**

This resolution shall take effect and be in force as of the date of its passage, approval publication as provided by law.

**PASSED AND ADOPTED** by the Mayor and City Council members, this 14<sup>th</sup> day of July, 2009.

Mayor

1

Council Member

Council Member

Council Member

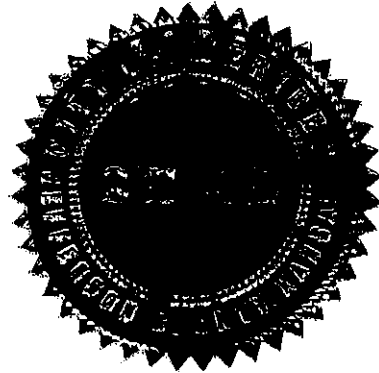
Council Member

Council Member

Attest:

City Clerk

Carrie M Daniels, City Clerk



August 24, 2009

Carrie Daniels, City Clerk  
City of Meriden  
103 E. Main Street, P.O. Box 262  
Meriden, KS 66512-0262

*Subject: Floodplain Regulations Approval for City of Meriden, Kansas*

Dear Carrie,

On August 19, 2009, the floodplain management ordinance for the City of Meriden, Kansas were received for review. The Chief Engineer, Division of Water Resources, Kansas Department of Agriculture, acting under terms of K.S.A. 12-766, and the administrative regulations adopted pursuant thereto (K.A.R. 5-44-1 through 7) approved your regulations on August 24, 2009. The approved ordinance is returned for your files.

I will <sup>now</sup> then submit this ordinance to the FEMA Regional office. I will also send in the resolution of intent and the application. This will complete the paperwork for your city to enroll in the National Flood Insurance Program. Call me if you need assistance at 785-296-4622.

Sincerely,



Steve Samuelson  
NFIP Specialist

Enclosures:

Ordinance approved by Chief Engineer

All of the paper-  
work is done.  
Should hear from  
FEMA in 6-8 weeks  
Steve

DEPARTMENT OF HOMELAND SECURITY  
 FEDERAL EMERGENCY MANAGEMENT AGENCY  
**APPLICATION FOR PARTICIPATION IN THE NATIONAL FLOOD  
 INSURANCE PROGRAM**

O.M.B. NO. 1660-0004  
 Expires March 31, 2011

**PAPERWORK BURDEN DISCLOSURE NOTICE**

Public reporting burden for this form is estimated to average 4 hours per response. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing, and submitting the form. You are not required to submit to this collection of information unless it displays a valid OMB control number. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Department of Homeland Security, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, and Paperwork Reduction Project (1660-0004). **NOTE: Do not send your completed form to this address.**

1. APPLICANT COMMUNITY NAME (City, town, etc.) <b>City of Meriden</b>	DATE <b>7-14-09</b>
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COUNTY, STATE  
**Jefferson County, Kansas**

2. COMMUNITY OFFICIAL - CHIEF EXECUTIVE OFFICER (CEO) <b>Andy Sorritt, Mayor</b>	E-MAIL ADDRESS	TELEPHONE NO. (Include area code) <b>(785) 484-3450</b>
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ADDRESS (Street or box no. city, state, zip code)  
**103 E. Main Street Meriden, KS 66512**

3. PROGRAM COORDINATOR (Official, if different from above, with overall responsibility for implementing program) <b>Carrie M. Daniels, City Clerk</b>	E-MAIL ADDRESS	TELEPHONE NO. (Include area code) <b>(785) 484-3450</b>
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ADDRESS (Street or box no., city, state, zip code)  
**103 E Main Street Meriden, KS 66512**

LOCATION OF COMMUNITY REPOSITORY FOR PUBLIC INSPECTION OF NFIP MAPS  
**City Hall**

ADDRESS  
**103 E Main Street Meriden, KS 66512**

**5. ESTIMATES FOR THOSE AREAS PRONE TO FLOOD AND/OR MUDSLIDE AS OF THE DATE OF THIS APPLICATION**

AREA IN ACRES	POPULATION	NO. OF 1-4 FAMILY STRUCTURES	NO. OF ALL OTHER STRUCTURES
<b>10-12 Acres</b>		<b>None</b>	<b>5</b>

**6. ESTIMATES OF TOTALS IN ENTIRE COMMUNITY**

POPULATION	NO. OF 1-4 FAMILY STRUCTURES	NO. OF ALL OTHER STRUCTURES
<b>790</b>	<b>274</b>	<b>36</b>

**7. FOR FEMA REGIONAL USE ONLY**

1. FEMA REGIONAL OFFICE	2. NAME OF CONTACT	3. TELEPHONE NO.
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4. LEVEL OF 44 CFR 60.3 REGULATION ADOPTED (Check one) <input type="checkbox"/> 60.3 <input type="checkbox"/> 60.3(b) <input type="checkbox"/> 60.3(c) <input type="checkbox"/> 60.3(d) <input type="checkbox"/> 60.3(e)	5. CHECK APPROPRIATE BOX: <input type="checkbox"/> EMERGENCY PHASE <input type="checkbox"/> REGULAR PHASE
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IF REGULAR PROGRAM, SPECIFY FIRM INDEX DATE. IF USING ANOTHER COMMUNITY'S FIRM, GIVE COMMUNITY NAME, CID, FIRM INDEX DATE AND MAP PANEL NUMBER DEPICTING COMMUNITY