

ORDINANCE NO. _____

TOWN OF YORKTOWN

ORDINANCE REPEALING PORTIONS OF ORDINANCE NO. 498

WHEREAS, the Town enacted Ordinance No. 498 on December 15, 2005; and

WHEREAS, the Town enacted Ordinance No. _____ on May 22, 2017, which Ordinance largely replaces Ordinance 498; and

WHEREAS, the last section of Ordinance 498, as set forth below, was not replaced by any section of Ordinance _____.

WHEREAS, the penalty section states as follows:

“PENALTY.

- (A) Failure to obtain a floodplain development permit in the SFHA or failure to comply with the requirements of a floodplain development permit or conditions of a variance shall be deemed to be a violation of this chapter. All violations shall be considered a common nuisance and be treated as such in accordance with the provisions of the Zoning Code for the town. All violations shall be punishable by a fine not exceeding \$1,000.
- (B) A separate offense shall be deemed to occur for each day the violation continues to exist.
- (C) The Plan Commission shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.
- (D) Nothing herein shall prevent the town from taking such other lawful action to prevent or remedy any violations. All costs connected therewith shall accrue to the person or persons responsible.”

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Yorktown, that:

Section 1. Ordinance 498 is hereby repealed except for the last section, set forth above.

Section 2. Ordinance _____ shall be supplemented by the Penalty provision which is set forth above.

Rich Lee, President

Bob Ratchford

Michael Burke

Rick Glaub

Bryan Smith

Lon Fox

Daniel Flanagan

Attest: Beth Neff, Clerk-Treasurer

