

Chapter 6

LEGAL STATUS PROVISIONS

SECTION:

12-6-1: Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance

12-6-2: Effect upon Outstanding Floodplain Development Permits

12-6-3: Severability

12-6-4: Effective Date

12-6-1: Effect on Rights and Liabilities under the Existing Flood Damage Prevention Ordinance

This ordinance, in part, comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted March 23, 1987, as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of Cassia County, Idaho enacted on March 23, 1987, as amended, which are not reenacted herein are repealed.

12-6-2: Effect upon Outstanding Floodplain Development Permits

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a Floodplain Development Permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance. Provided, however, that when construction is not begun under such outstanding permit within a period of 180 days subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

12-6-3: Severability

The ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

12-6-4: Effective Date

This ordinance shall become effective upon passage and publication as provided by law.