

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

SENATE BILL NO. 649

BY: ROBERTS

AS INTRODUCED

AN ACT RELATING TO FLOODPLAIN MANAGEMENT AND DAM

SAFETY; ENABLING CITIES AND TOWNS TO IMPLEMENT

FLOODPLAIN REGULATIONS BELOW DAMS IN CERTAIN AREAS;

PROVIDING FOR CODIFICATION; AND DECLARING AN

EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 37-128 of Title 11, unless there is created a duplication in numbering, reads as follows:

Municipalities that own or operate dams for water supply in unincorporated areas of counties whose county commissioners have not established floodplain boards may regulate development downstream of the dam to maintain a low hazard potential classification of the dam as determined by the Oklahoma Water Resources Board. Such regulation shall be limited to prohibiting the construction or maintenance of habitable structures in locations which, in event of the failure of the dam during the peak inflow of the design flood, would place human life in danger. Such regulation shall also be subject to the provisions of Section 37-105 of Title 11 of the Oklahoma Statutes.

SECTION 2. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

43-2-1662

MJM