



Flood Control District of Maricopa County

Board of Directors

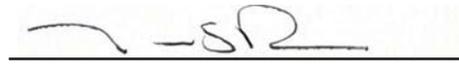
Denny Barney, District 1
Steve Chucri, District 2
Andrew Kunasek, District 3
Clint Hickman, District 4
Mary Rose Wilcox, District 5

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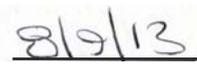
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SUBSTANTIVE POLICY STATEMENT 2013-02: ENHANCED REGULATORY OUTREACH

ISSUED BY:



Timothy S. Phillips, P.E.
Chief Engineer & General Manager



Date

ORIGINAL DATE: January 8, 2013

REVISION DATE: August 8, 2013

PURPOSE

This policy integrates Maricopa County's Enhanced Regulatory Outreach Program with the Flood Control District's processes for managing amendments to its regulatory documents. The program will be operational by January 9, 2013.

REFERENCE

Arizona Revised Statutes (A.R.S.) §§ 48-3603, 48-3609, 48-3613 and 48-3615; Title 48, Chapter 21, Article 2

Maricopa County Policy A1518 - Enhanced Regulatory Outreach
Floodplain Regulations for Maricopa County

POLICY

No code, rule, regulation or ordinance can be enforced without substantial compliance with this policy, except those that were approved by the Board of Directors before January 9, 2013.

Regulatory amendments, including amendments to associated fee schedules, shall be processed in a consistent manner to ensure the opportunity for public input. All regulatory documents administered by the District shall be amended per the processes outlined in the attached flowcharts, which meet or exceed all statutory requirements.

The District will provide, for the County's Enhanced Regulatory Outreach website, the following information at a minimum.

- A. Calendar – A calendar notifying the public of all major milestones and opportunities for public input on all current regulatory adoptions and amendments.

- B. Information about where comments can be submitted electronically or in writing.
- C. Staff Reports – Staff reports on all regulatory changes will be prepared and linked to the website at least one week prior to any public meeting or hearing (Flood Control Advisory Board or Board of Directors). These staff reports will include:
 - 1. A summary of the proposed regulatory change;
 - 2. An analysis of the input received during the process and how that input was responded to;
 - 3. Language of any proposed regulatory change or amendment;
 - 4. Minutes for all public meetings; and,
 - 5. Copies of all written and electronic stakeholder input.

Stakeholder comments received after public distribution of the staff report will be included on the Enhanced Regulatory Outreach site and noted as such.

In addition to the required staff report, an executive summary of the report including an overview of stakeholder input and staff responses will be provided to the Board of Directors at least one week prior to the Board of Directors public hearing.

- D. Process Flow Chart – All new ordinances and regulatory amendments to be administered by the District will be processed per the attached flowcharts.

The Expedited Process flowchart may only be used in lieu of the standard flowchart if the following criteria have been met:

- 1. The proposed amendment has been the subject of at least one Stakeholder Workshop (posted on the County's website at least two weeks in advance) and one Flood Control Advisory Board meeting.
 - 2. A draft of the regulatory change was available on the Enhanced Regulatory Outreach Program website at least two weeks prior to the Flood Control Advisory Board meeting and was forwarded to the Flood Control Advisory Board at least one week in advance of its proposed review meeting.
 - 3. No comments of opposition to the amendment have been received from the public.
 - 4. The Flood Control Advisory Board recommends approval.
- E. Stakeholder Notification Sign-up – The Enhanced Regulatory Outreach site will include an opportunity for any interested person to sign up to receive notices of all proposed regulatory changes, including opportunities to participate in the process.
 - F. Index of Current Regulations – The District will post all current regulations to the Enhanced Regulatory Outreach site.

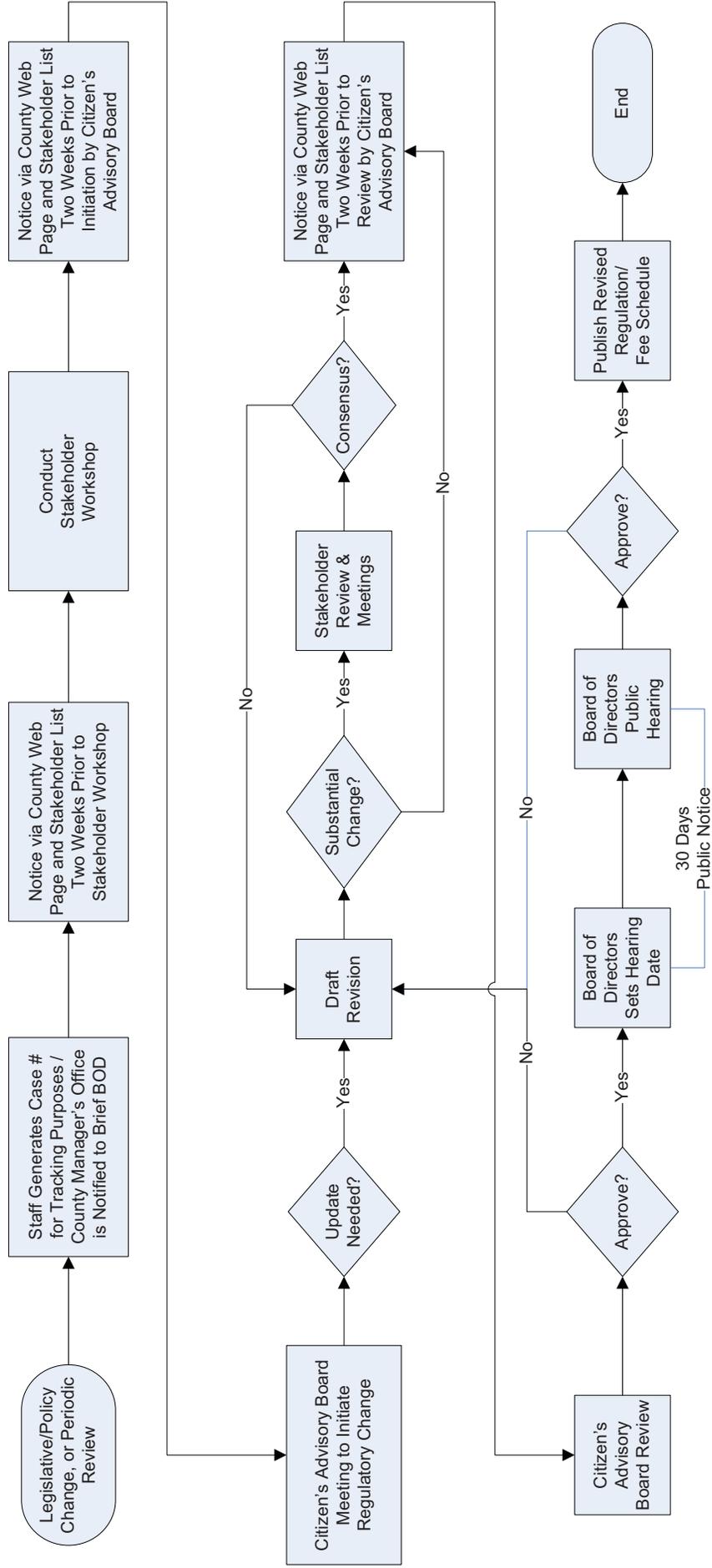
G. Index of Substantive Policy Statements – The District will post to the Enhanced Regulatory Outreach site all substantive policy statements as defined by ARS § 48-3641.

H. Other categorized regulatory and reference documents consistent with the content of the County's Enhanced Regulatory Outreach site.

If an affected person has a complaint concerning a failure of the District to observe the requirements of this policy, it shall be submitted to the District. The complaint shall contain, at a minimum, the specific rule being initiated or recommended; and an explanation specifying the perceived failure that led to the complaint. Within fifteen business days after the date of submission, the District shall, in writing, respond to the complaint and recommend action. The affected person may appeal the decision by filing with the Clerk of the Board, within thirty days after the date of that written decision, a written appeal to the Board of Directors. The Board of Directors shall place the complaint on its agenda within thirty days and provide a response to the complaint at the meeting. In the event of an appeal, the appealed portion of the regulation or ordinance will not be enforced until the Board of Directors rules on the appeal.

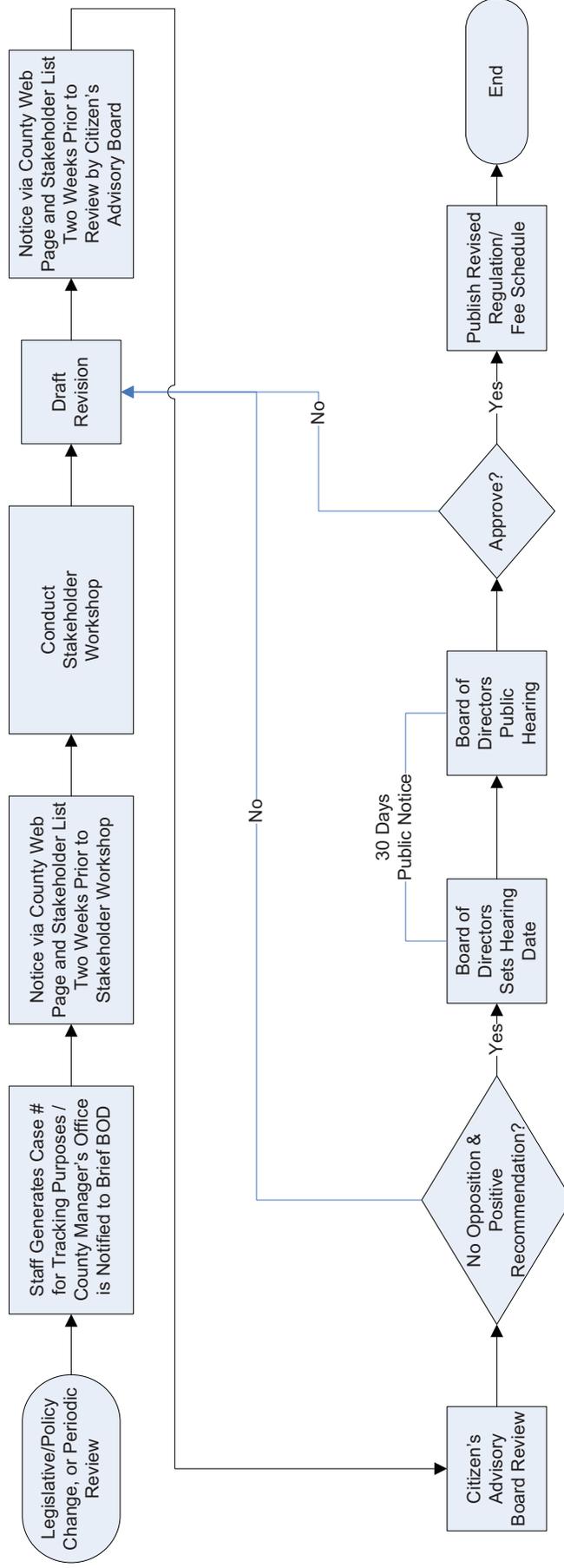
The Board of Directors may adopt regulations or ordinances without complying with the procedures of this policy if the Board makes a finding of an emergency requiring the adoption of the regulation and ordinance and records the nature of the emergency and the reason for the adoption in its minutes. Not later than sixty (60) days after the adoption of an emergency measure according to this policy, the regulation or ordinance shall be reviewed by the Board to determine if it should continue or be terminated.

Flood Control District Fee Schedule/Regulation Modification Procedure



Per Arizona Revised Statute
ARS §48-3609(E)

Expedited Flood Control District Fee Schedule/Regulation Modification Procedure



Per Arizona Revised Statute
ARS §48-3609(E)