

## FEMA REGION V

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### *short notes on planning #26*

#### TOWNSHIP AUTHORITY

All of the states in the Midwest are divided into political and jurisdictional subdivisions known as counties. In most states, the counties are subdivided in three types of political and jurisdictional subdivisions known as cities, villages and townships. Here the similarities end. Each state has enabling legislation dealing with how the subdivisions of counties are formed or under what conditions that they can cease to exist, how they are governed, and what authorities that they have. It is this enabling legislation laws and the mitigation program rules that govern how we deal with townships when preparing a mitigation plan.

If State-enabling legislation gives a township the same land-use regulations authority as a city or village, then for the purpose of preparing and adopting a mitigation plan it has the same responsibilities. This means that it may adopt its own plan or may be a participant in a multi-jurisdictional planning process.

If the township does not have full-land use authority, they must rely on the county to enforce any regulations that they propose to use to mitigate the natural hazards. The county would have the floodplain ordinance; the county may have the building code, the zoning ordinance or the subdivision code; and any special codes or ordinances needed would have to be enforced by whichever jurisdiction that State-enabling legislation allows. If State-enabling legislation does not give the township land use authority, or only gives it partial land use authority, the township has the option of letting the county prepare and adopt the mitigation plan or participating in the county's process. It is recommended that the township be involved in the planning process, since this would allow for a broader buy-in to the County plan, especially when there are projects in the township.