

Ordinance amending Resolution #197 SECTION 1.0 NATIONAL FLOOD INSURANCE PROGRAM
 F.1 Statutory Authorization.

The Legislature of the State of Washington has in R.C.W. #86.16.160 delegated the responsibility to local government units to adopt regulations to promote the public health, safety, and general welfare of its citizenry. Therefore, the Council of the Town of Yacolt, Clark County, does ordain as follows:

1.2 Statement Of Purpose.

It is the purpose of this Ordinance to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by methods and provisions designed for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plain, stream channels, and natural protective barriers, which help accommodate of channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

SECTION 2.0 DEFINITIONS

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

"AREA OF SPECIAL FLOOD HAZARD" Means the land is the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

"BASE FLOOD" means the flood having a one percent chance of being equalled or exceeded in any given year.

"DEVELOPMENT" means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations located within the area of special flood hazard.

"FLOOD" OR "FLOODING" means a general temporary condition or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation of runoff or surface waters from any source.

"FLOOD INSURANCE RATE MAP (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and risk premium zones applicable to the community.

"MOBILE HOME" means a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

"NEW CONSTRUCTION" means structures for which the "start of construction" commenced on or after the effective date of this Ordinance.

"START OF CONSTRUCTION" means the first placement of permanent construction of a structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of temporary forms: nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main structure.

"STRUCTURE" means a walled and roofed building or mobile home that is principally above ground.

"SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) before the improvement or repair is started, or
- (2) if the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the

Building commences, whether or not that alteration affects the external dimensions of the structure.

SECTION 3.0 GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES:

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of the Town of Yacolt, Clark County.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Administration in the flood Insurance Rate, Map for Yacolt, Clark County dated _____ are hereby adopted by reference and declared to be a part of this Ordinance. The Flood Insurance Rate Map is on file at Town Hall.

SECTION 4.0 ADMINISTRATION

4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures, including mobile homes, as set forth in the DEFINITIONS, and for all other development, including fill and other activities, also as set forth in the DEFINITIONS.

4.2 DESIGNATION OF THE TOWN COUNCIL

The Public Works Director is hereby appointed to administer and implement this Ordinance by granting/denying development permit applications in accordance with its provisions.

4.3 DUTIES AND RESPONSIBILITIES

Duties of the Public Works Director shall include, but not be limited to:

4.3-1 PERMIT REVIEW

(1) Review all development permits to determine that the permit requirement of this Ordinance have been satisfied.

(2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.

4.3-2 USE OF BASE FLOOD DATA The Public Works Director shall obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State, or other source in order to administer Sections 5.2-1, SPECIFIC STANDARDS, Residential Construction, and 5.2-2, SPECIFIC STANDARDS, Nonresidential Construction. Where the base flood elevation cannot be determined, applications for development permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test for reasonableness is a judgement of the Public Works Director and includes use of historical data, high water marks, photographs of past floods, etc. At a minimum, however, the first floor shall be elevated or floodproofed (where applicable) 2 feet above the highest adjacent grade.

4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED.

(1) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures; and whether or not the structure contains a basement,

(2) For all new or substantially improved floodproofed structures:

- (i) verify and record the actual elevation (in relation to mean sea level), and
- (ii) maintain the floodproofing certifications required in Section (5.2-2(3)), or
- (iii) where a base flood elevation has not been determined according to Section 4.3-2, obtain and record the elevation of the first floor (including basement) as related to the highest adjacent grade.

4.3-4 ALTERATION OF WATERCOURSES

(1) Notify adjacent communities and the County prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Insurance Administration.

(2) Require that maintenance is provided within the altered or relocated portion of said watercourse so the flood carrying capacity is not diminished.

4.3-5 INTERPRETATION OF FIRM BOUNDARIES.

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standard of Section 60.6 of the rules and regulations of the National Flood Insurance Program (44 CFR 59, etc.).

SECTION 5.0
PROVISIONS FOR FLOOD HAZARD PROTECTION

5.1 GENERAL STANDARDS

IN ALL AREAS OF SPECIAL FLOOD HAZARDS THE FOLLOWING STANDARDS ARE REQUIRED

5.1-1 ANCHORING

(1) All new construction and substantial improvement shall be anchored to prevent flotation, collapse or lateral movements of the structure.

(2) All mobile homes shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top ties and frame ties to ground anchors. Specific requirements shall be that:

(i) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than 50 feet long requiring one additional tie per side,

(ii) frame ties be provided at each corner of the home with five additional ties at intermediate points, with mobile homes less than 50 feet long requiring four additional ties per side,

(iii) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and

(iv) any additions to the mobile home be similarly anchored.

(3) An alternative method of anchoring may involve a system designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the Clark County Building Department.

5.1-2 CONSTRUCTION MATERIALS AND METHODS

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

5.1-3 UTILITIES

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

(3) Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least 50 lots or 5 acres (whichever is less)

5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been determined, Section 4.3-2, Use of Base Flood Data, the following provisions are required:

5.2-1 RESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.

5.2-2 NONRESIDENTIAL CONSTRUCTION

New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

(1) be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,

(3) be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided as set forth in Section 4.3 (2)

5.2-3 MOBILE HOMES

(1) Mobile homes shall be anchored in accordance with Section 5.1-1(2).

(2) For new mobile home parks and mobile home subdivisions; for expansions to existing mobile home parks and mobile home subdivisions; for existing mobile home parks and mobile home subdivisions where the repair, reconstruction or improvement of the streets,

utilities and pads equals or exceeds 50 percent of value of the streets, utilities, and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or mobile home subdivision, require that:

(i) stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level;

(ii) adequate surface drainage and access for a hauler are provided; and

(iii) in the instance of elevation on pilings, that:

-- Lots are large enough to permit steps,

-- Piling foundations are placed in stable soil no more than 10 feet apart, and

-- reinforcement is provided for pilings more than 6 feet above the ground level.

Passed by the Council and approved by the Mayor this 3 day of April 1984

Ayes: ~~Herman Johnson, Curtis Hollenbeak, Melanie Bell, and Paul Grooms~~

NAYS Gaylen Madison

ABSENT: None

MAYOR Jim Worthington

ATTEST Irene Christiansen