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Introduced April 10, 1979 by
Councilman Singletary;
seconded by Councilman Throop
Item number 79-4-48

ORDINANCE
NO.

An ordinance amending Section 7-14 of the City's
Code of Ordinances and Ordinance 951, dated September 24, 1974.

BE IT ORDAINED by the Siddlel City Council, in legal
session convened, that the following changes be made to
Section 7-14 of the City's Code of Ordinances.

Line 6, delete the word or; add a comma; and after
the word surveyor, add the words or licensed builder.

ADOPTED this day of , 1979.

Alvin D. Singletary
Councilman-at-Large
President of the Council

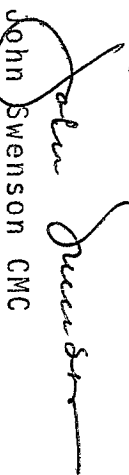
M. W. Hart
Mayor

John Swenson CMC
Clerk of Council

PUBLIC NOTICE

Item No. 79-4-48, a proposed ordinance amending Slab Elevations was introduced at the April 10th, 1979 Council Meeting. A Public Hearing will be held at 6:30 P.M., May 8th, 1979, in the Council Chambers, 2055 Second Street on this matter. The proposed ordinance is printed in full as required by Ordinance 1084.

City of Slidell, Louisiana


John Swenson CMC
Clerk of the Council

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shall undertake, attempt, or submit a bid to construct, supervise, superintend, oversee, direct, or in any manner assume charge of the construction, alteration, repair, improvement, movement, demolition, putting up, tearing down or furnishing labor, material or equipment and installing same for any building, highway, road, railroad, sewer, grading, excavation, pipeline or public utility structure, project development, improvement or any other undertaking within the jurisdiction of this municipality where the cost of same is thirty thousand dollars (\$30,000.00) or more unless such person, firm, partnership, co-partnership, association, corporation, or other organization or combination thereof shall first have acquired a valid contractor's license from the State of Louisiana as set forth in Title 37, Sections 2151 through 2163 of the Louisiana Revised Statutes, (Ord. No. 919, § 1, 6-13-73)

Sec. 7-13. Same—Penalty for noncompliance.

Any person violating section 7-12 by engaging in such activities without the required state license shall be guilty of a misdemeanor and, upon conviction, shall be fined a sum not to exceed one thousand dollars (\$1,000.00) and/or three (3) months in prison. (Ord. No. 919, § 2, 6-13-73)

Sec. 7-14. Slab elevation prior to issuance of certificate of occupancy.

The possibility of flooding exists in many areas of the City of Slidell; and because of the legal requirements for flood insurance established by the Federal Insurance Administration, all builders within the City of Slidell must furnish the city permit office with a certificate of exact finished slab elevation, certified thereto by a licensed engineer or surveyor. *Revised by City Council*
Until the certificate of slab elevation is on file at the city permit office, no certificate of occupancy will be issued, (Ord. No. 951, §§ 1, 2, 9-24-74)

Editor's note—Ordinance No. 951, enacted Sept. 24, 1974 did not expressly amend this Code, hence inclusion of §§ 1 and 2 as § 7-14 was at the discretion of the editors.

Supp. No. 9



CITY OF SLIDELL

OFFICE OF PERMITS AND INSPECTIONS

W. DALE BATES
BUILDING OFFICIAL
MARLENE COCRAN
PERMIT CLERK
JEAN PETTIT
SECRETARY

RICHARD CHOINA
BUILDING INSPECTOR
HARRY T. DEYO
PLUMBING INSPECTOR
MAX GARRETT, JR.
ELECTRICAL INSPECTOR

March 8, 1979

Memo

To : Members of the City Council

From Steve Buser Office of Permits

Re: certification of slab elevation.

In reference to the problem of whether a builder can certify slab elevation for the flood insurance program.

We were told by the Flood Hazard Administrator for the area that this is possible. He sent us the attached regulations showing that all that is necessary is that the elevation to mean sea level be certified in a manner acceptable to the community. He pointed out that periodically the FIA audits communities to find out if they are complying reasonably. This audit is contracted out. Recently and audit of St. Bernard and Jefferson was carried out by shooting the slab elevation of about 40 homes in each community.

Also attached find the parish ordinance which deals with this problem. In particular see Page 6 the section dealing with residential construction. The term "qualified builder" is defined earlier in the ordinance as a builder licensed by the parish.

See Sec 7-14 of City Code

the Administrator the community shall not adopt and enforce flood plain management regulations based upon modified data reflecting natural or man-made physical changes.

(1) The community, upon its receipt of the data set forth in paragraph (c), (d) or (e) of § 1910.3 or paragraph (b) of § 1910.4 or § 1910.5, shall inform the appropriate State and areawide clearinghouse established in accordance with Part I of OMB Circular No. A-95 (41 FR 2052-2065, January 13, 1976), that the community has a period of six months in which to adopt and submit to the Administrator adequate flood plain management regulations. (The clearinghouses are encouraged to assist the community within the six month period in developing such regulations and in assuring regional coordination). The community shall submit to the appropriate State and areawide clearinghouse, concurrently with its submission to the Administrator, a copy of all adopted flood plain management regulations intended to comply with paragraphs (c), (d) or (e) of § 1910.3 or paragraph (b) of § 1910.4 or § 1910.5. Clearinghouse review, for a period not to exceed sixty days from the date a community submits flood plain management regulations to the clearinghouse, shall be provided prior to the Administrator's action on such regulations. Clearinghouse comments, or a statement by the community that no comments or recommendations have been received from the clearinghouse, should be submitted by the community to the Administrator. However, it may be necessary for the clearinghouse to review the community's regulations within a shorter time period in the event of pending action to suspend the community's Program participation, pursuant to § 1909.24 of this Subchapter, for failure to adopt adequate flood plain management regulations within the required six months. The Administrator, within seven working days of taking a major action on the community's flood plain management submission, shall provide a copy of his disposition concerning the submission to each clearinghouse from which a comment was received.

§ 1910.3 Flood plain management criteria for flood-prone areas.

The Administrator will provide the data upon which flood plain management regulations shall be based. If the Administrator has not provided sufficient data to furnish a basis for these regulations in a particular community, the community shall obtain, review and reasonably utilize data available from other Federal, State or other sources pending receipt of data from the Administrator. However, when special flood hazard area designations and water surface elevations have been furnished by the Administrator, they shall apply. The symbols defining such special flood hazard designations are set forth in § 1914.3 of this subchapter. In all cases the minimum requirements governing the adequacy of the flood plain management regulations for flood-prone areas adopted by a particular community depend on

the amount of technical data formally provided to the community by the Administrator. Minimum standards for communities are as follows:

(a) When the Administrator has not defined the special flood hazard areas within a community, has not provided water surface elevation data, and has not provided sufficient data to identify the floodway or coastal high hazard area, but the community has indicated the presence of such hazards by submitting an application to participate in the Program, the community shall:

(1) Require permits for all proposed construction or other development in the community, including the placement of mobile homes, so that it may determine whether such construction or other development is proposed within flood-prone areas;

(2) Review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law, including section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1384;

(3) Review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements (including the placement of prefabricated buildings and mobile homes) shall (i) be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, (ii) be constructed with materials and utility equipment resistant to flood damage, and (iii) be constructed by methods and practices that minimize flood damage;

(4) Review subdivision proposals and other proposed new development to determine whether such proposals will be reasonably safe from flooding. If a subdivision proposal or other proposed new development is in a flood-prone area, any such proposals shall be reviewed to assure that (i) all such proposals are consistent with the need to minimize flood damage within the flood-prone area, (ii) all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage, and (iii) adequate drainage is provided to reduce exposure to flood hazards;

(5) Require within flood-prone areas new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems; and

(6) Require within flood-prone areas (i) new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters; and (ii) on-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding.

(b) When the Administrator has designated areas of special flood hazards (A zones) by the publication of a community's FFBM, but has neither produced

water surface elevation data nor identified a floodway or coastal high hazard area, the community shall:

(1) Require permits for all proposed construction and other developments including the placement of mobile homes, within Zone A on the community's FFBM;

(2) Require the application of the standards in paragraphs (a) (2), (3), (4), (5) and (6) of this section to development within Zone A on the community's FFBM;

(3) Require that all subdivision proposals and other proposed new developments greater than 50 lots or 5 acres, whichever is the lesser, include within such proposals base flood elevation data;

(4) Obtain, review, and reasonably utilize any base flood elevation data available from a Federal, State, or other source, until such other data has been provided by the Administrator, as criteria for requiring that (i) all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to or above the base flood level and (ii) all new construction and substantial improvements of nonresidential structures have the lowest floor (including basement) elevated or floodproofed to or above the base flood level;

(5) For the purpose of the determination of applicable flood insurance risk premium rates within Zone A on a community's FFBM (i) Obtain the elevation (in relation to mean sea level) of the lowest habitable floor (including basement) of all new or substantially improved structures, and whether or not such structures contain a basement (ii) obtain, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed, and (iii) maintain a record of all such information with the official designated by the community under § 1909.22(a)(2)(iii);

(6) Notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relocation of a watercourse, and submit copies of such notifications to the Administrator;

(7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained;

(8) Require that all mobile homes to be placed within Zone A on a community's FFBM shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top 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 and 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 per side at intermediate points and 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

ORDINANCE NO. 791

AN ORDINANCE amending and re-enacting Ordinance No. 611 entitled "The St. Tammany Parish Flood Hazard Area Ordinance" for the purpose of maintaining Flood Insurance eligibility in the unincorporated areas of St. Tammany Parish.

WHEREAS, the St. Tammany Parish Police Jury desires to continue Flood Insurance eligibility in the unincorporated area of St. Tammany Parish, and

WHEREAS, Flood Insurance Coverage will not be available within the unincorporated area of the Parish unless structures within the area of special flood hazards have the habitable floor elevated to or above the level of the 100 year flood, and

WHEREAS, when Ordinance No. 611 was enacted a permit fee schedule had not been completed on the date the said ordinance was adopted, and

WHEREAS, the Police Jury of St. Tammany Parish deems it advisable and/or desirable amend and re-enact Ordinance No. 611.

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ARTICLE 1

FINDINGS OF FACT, PURPOSE AND METHODS

SECTION A. FINDINGS OF FACT

- (1) The flood hazard areas of St. Tammany Parish are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the health, safety and general welfare.
- (2) These flood losses are created by the cumulative effect of obstructions in flood plains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed, or otherwise protected from flood damage.

SECTION B. 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 provisions designed to:

- (1) To protect human life and health.
- (2) To minimize expenditure of public money for costly flood control projects.
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public.
- (4) To minimize prolonged business interruptions.
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in flood plains.
- (6) To help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas, and
- (7) To insure the potential buyers are notified that property is in a flood area.

SECTION C. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance uses the following methods:

- (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities.
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction.
- (3) Control the alteration of natural flood plains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters.
- (4) Control filling, grading, dredging, and other development which may increase flood damage.
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

ARTICLE 2

DEFINITIONS

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

Appeal--means a request for a review of the St. Tammany Parish Police Jury's interpretation of any provisions of this ordinance or a request for variance.

Area of Shallow Flooding--means a designated AO Zone on a community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet. This condition occurs where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident.

Area of Special Flood Hazard--is the land in the flood plain within a community subject to a one percent or greater change 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.

Existing Mobile Home Park or Mobile Home Subdivision--means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed before the effective date of this ordinance.

Expansions To An Existing Mobile Home Park or Mobile Home Subdivision--means the preparation of additional sites by the construction of facilities for servicing the lots on which the mobile homes are to be affixed (including the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets).

Flood Or Flooding--means a general and temporary condition of partial or complete inundation of normally dry land areas from:

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

Flood Insurance Rate Map (FIRM)--means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

Flood Insurance Study--is the official report provided by the Federal Insurance Administration. The report contains flood profiles, the water surface elevation of the base flood, as well as the Flood Hazard Boundary-Floodway Map.

Habitable Floor--means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or combination thereof.

A floor used for storage purposes only is not a "habitable floor".
Mean Sea Level--means the average height of the sea for all storage of the tide.

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

New Mobile Home Park Or Mobile Home Subdivision--means a parcel (or contiguous parcels) of land divided into two or more mobile home lots for rent or sale for which the construction of facilities for servicing the lot on which the mobile home is to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is completed on or after the effective date of this ordinance.

Qualified Builder--means a person who has obtained an Occupational License which is current.

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/or walkways' nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms' nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupies as dwellings units or not as part of the main structure. For a structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For mobile homes within mobile home parks or mobile home subdivision, "start of construction" is the date on which the mobile home is to be affixed (including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities) is completed.

Structure--means a walled and roofed building that is principally above ground, as well as a mobile home.

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. The term does not, however include either (1) any projects for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alterations of structure listed on the National Register of Historic Places or State Inventory of Historic Places.

Variance--is a grant of relief to a person from the requirements of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance.

ARTICLE 3

GENERAL PROVISIONS

SECTION A. LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance shall apply to all areas of special flood hazard within the jurisdiction of the St. Tammany Parish Police Jury.

SECTION B. BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

The areas of special flood hazard identified by the Federal Insurance

Administration in a scientific and engineering report entitled "The Flood Insurance Study for the St. Tammany Parish Police Jury," dated April 27, 1971 as subsequently amended, Map #1-22-103-0000-13-28, with accompanying Flood Insurance Rate Maps and Flood Hazard Boundary, Floodway Maps and any revision thereto are hereby adopted by reference and declared to be a part of this ordinance.

SECTION C. ESTABLISHMENT OF DEVELOPMENT PERMIT

A Development Permit shall be required to ensure conformance with the provisions of this ordinance.

SECTION D. COMPLIANCE

No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.

SECTION E. ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easement, covenants, or deed restrictions. However, where this ordinance and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

SECTION F. INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be (1) considered as minimum requirements; (2) liberally constructed in favor of the governing body; and (3) deemed neither to limit nor repeal any other powers granted under State Statutes.

SECTION G. WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods and and will occur and flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of St. Tammany Parish Police Jury or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

ARTICLE 4

ADMINISTRATION

SECTION A. DESIGNATION OF ST. TAMMANY PARISH ENGINEERING DEPARTMENT

The St. Tammany Parish Engineering Department is hereby appointed to administer and implement the provisions of this ordinance.

SECTION B. DUTIES AND RESPONSIBILITIES OF THE ST. TAMMANY PARISH ENGINEERING DEPARTMENT.

Duties and responsibilities of the St. Tammany Parish Engineer Department shall include, but not be limited to:

- (1) Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.
- (2) Review, approve or deny all applications for development permit required by Article 3, Section C of this ordinance.
- (3) Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State local governmental agencies from which prior approval is required.
- (4) Where interpretation is needed as to the 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 St. Tammany Parish Engineering Department shall make the necessary interpretation. The person contesting the

location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in section D (2) of this Article.

- (5) Notify adjacent communities and the Department of Urban & Community Affairs prior to any alteration or relocation of a water-course, and submit evidence of such notification to the Federal Insurance Administration.
- (6) Assure that maintenance is provided within the altered or relocated portion of said water course so that the flood carrying capacity is not diminished.
- (7) When base flood elevation data has not been provided in accordance with Article 3, Section B the St. Tammany Parish Engineering Department shall obtain, review, and reasonable utilize any base flood elevation data available from a Federal, State, or other source, in order to administer the provision of Article 5.
- (8) Require until a regulatory flood way is designated, that no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

SECTION C. PERMIT PROCEDURES

- (1) Application for a Development Permit shall be presented to the St. Tammany Parish Police Jury on forms furnished by the Department of Engineering and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
 - a. Elevation in relation to mean sea level, of the lowest habitable floor of all proposed structures.
 - b. Elevation in relation to mean sea level to which any non-residential structure shall be flood proofed.
 - c. A certificate from a registered professional engineer or architect that the non-residential floodproofed structure shall meet the floodproofing criteria of Article 5, Section B (2).
 - d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as result of proposed development.
 - e. Survey and Deed of legal description of property.
 - f. Vicinity map and plot plan describing location of construction or location of dwelling on property and set back lines, as well as location of well and septic tank.
 - g. Approval by St. Tammany Parish Board of Health.
 - h. Submission of Application for Building Permit
 - i. Submission of Application for Certificate of Occupancy.
 - j. Furnish Certificate of Elevation
 - k. Pay all required fees.
- (2) Approval or denial of a Development Permit by the St. Parish Engineer Department shall be based on all of the provisions of this ordinance and the following relevant factors:
 - a. The danger to life and property due to flooding or

- erosion damage.
- b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- c. The danger that materials may be swept onto other lands to the injury of others.
- d. The compatibility of the proposed use with existing and anticipated development.
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities, and facilities such as sewer, gas, electrical, and water systems.
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effect of wave action, if applicable, expected at the site.
- h. The necessity to the facility of a waterfront location, where applicable.
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.
- j. The relationship of the proposed use to the comprehensive plan for that area.

SECTION D. VARIANCES PROCEDURES

- (1) The Board of Permit Adjustment as established by the St. Tammany Parish Police Jury shall hear and render judgement on request for variances from the requirements of this ordinance.
- (2) The Board of Permit Adjustment shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Department of Engineering in the enforcement or administration of this ordinance.
- (3) Any person or persons aggrieved by the decision of the Board of Adjustment may appeal such decision in the courts of competent jurisdiction.
- (4) The St. Tammany Parish Engineering Department shall maintain a record of all actions involving an appeal and shall report variances to the Federal Insurance Administration upon request.
- (5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (6) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in Section C (2) of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (7) Upon consideration of the factors noted above and the intent of this ordinance, the Board of Permit Adjustment may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this Ordinance (Article 1, Sections C and D).

(8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.

(9) Prerequisites for granting variances:

- a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- b. Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinance.
- c. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest habitable floor elevation no more than feet below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest habitable floor elevation.

SECTION E. PERMIT FEES

(1) Minimum Fee

A minimum fee of not less than \$5.00 shall be required for a permit.

2. Fee Schedule

The following table shall be used to determine the fee due:

N-C	0 to 50 Sq. Feet
2 cents per sq. ft.	51 Sq. Feet and Above
\$500.00 Maximum Fee	

(3) Special Mobile Home Permit Fee

The following table shall be used to determine the fee due:

.02¢ per square foot for each sq. ft. of residential space plus \$5.00 minimum for each anchorage inspection fee.

(4) Fee usage

All fees collected under this Article shall be deposited in a special fund to be used exclusively for the inspection, issuance of permits and enforcement of this ordinance.

ARTICLE 5

PROVISIONS FOR FLOOD HAZARD REDUCTION

SECTION A. GENERAL STANDARDS

In all areas of special flood hazards the following provisions are required:

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.
- (3) All new construction or substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (4) All new and replacement water supply systems shall be designed

to minimize or eliminate infiltration of flood waters into the system.

- (5) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharges from the systems into flood waters, and

- (6) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

SECTION B. SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided as set forth in (1) Article 3, Section B, (11) Article 4, Section B, (7) or (11) Article 5, Section D, (2) the following provisions are required:

- (1) Residential Construction--New Construction or substantial improvement of any residential structure shall have the lowest habitable floor, elevated to or above the base flood elevation. A registered professional engineer, architect, land surveyor, or qualified builder shall submit a certificate to the St. Tammany Parish Engineering Department that the standard of this subsection, as proposed in Article 4, Section C (1) (a), is satisfied.

- (2) Non-residential Construction--New Construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest habitable floor, elevated to the level of the base floor elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall submit a certification to the St. Tammany Parish Engineering Department that the standards of this subsection as proposed in Article 4, Section C (1) (c), are satisfied.

(3) Mobile Homes

- a. No mobile home shall be placed in a floodway, or if applicable, a coastal high hazard area, except in an existing mobile home park or existing mobile home subdivision.

- b. All mobile homes shall be anchored to resist flotation, collapse, or lateral movement. Specific requirements shall be:

- (1) Over-the-top ties at each of the four corners of the mobile home with two additional ties per side at intermediate points.

- (11) Frame ties at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side.

- (111) Any components of the anchoring system be capable of carrying a force of 4,800 pounds.

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

- c. For new mobile home parks and subdivisions; for expansions to existing mobile home parks and subdivisions for existing mobile home parks and subdivisions where the repair, reconstruction or improvement of the streets, utilities and pads equals or exceeds 50 per cent 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 subdivision require the following:

- (1) stands or lots are elevated on compacted fill or on pilings so that the lowest habitable floor of the mobile home will be at or above the base flood level. A registered professional engineer, architect, or land surveyor shall submit a certification to the St. Tammany Parish Engineering Department that the standard of this paragraph complies with Section B (1) of this Article.

(11) Inadequate surface drainage and access for a hauler are provided; and,

- (111) In the instance of elevation on pilings: (1) lots are large enough to permit steps, (2) piling foundations are placed in stable soil no more than ten feet apart and (3) reinforcement is provided for pilings more than six feet above the ground level.

SECTION C. STANDARDS FOR AREAS OF SHALLOW FLOODING (AO ZONES)

Located within the areas of special flood hazard established in Article 3, Section B are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of 1 to 3 feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and indeterminate; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of residential structures shall have the lowest habitable floor, elevated above the crown of the nearest street to or above the depth number specified on the community's FIRM.

- (2) All new construction and substantial improvements of nonresidential structures shall:

(11) Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

- (3) A registered professional engineer or architect, or in the case of residential structures, a qualified builder, shall submit a certification to the St. Tammany Parish Engineering Department that the standards of this Section, as proposed in Article 4, Section C (1) (a), are satisfied.

SECTION D. STANDARDS FOR SUBDIVISION PROPOSALS

- (1) All subdivision proposals shall be consistent with Article 1, Section B, C. and D of this ordinance.

- (2) All proposals for the development of subdivisions shall meet Development Permit requirements of Article 3, Section C, Article 4, Section C, and the provisions of Article 5 of this ordinance.

- (3) Base flood elevation data shall be provided for subdivision proposals and other proposed development which is greater than the lesser of 50 lots or 5 acres, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (7) of this ordinance.

- (4) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.

- (5) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

ARTICLE 6

PENALTIES

SECTION A. PENALTIES FOR VIOLATION

Violations of the provisions of this ordinance or failure to comply with any of its requirements shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof, be fined not less than \$10.00 nor more than \$25.00 or imprisoned for not more than 30 days, or both, and in addition shall pay all cost and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

ARTICLE 7

SEPARABILITY

SECTION A. SEPARABILITY CLAUSE

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

ARTICLE 8

SHORT TITLE AND EFFECTIVE DATE

Section A. SHORT TITLE AND EFFECTIVE DATE

This ordinance may be cited and otherwise referred to as the "St. Tammany Parish Flood Hazard Area Ordinance".

This ordinance shall be effective on the 20th. day of March, 1978. This ordinance having been submitted to a vote, the vote thereon was as follows:

YEAS: 14

NAYS: 0

ABSTAINED: 0

ABSENT: 0

and the ordinance was declared adopted on this 16th. day of February, 1978.

EARL D. BROOM, PRESIDENT

JANIS B. STEIN, SECRETARY

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I, JANIS B. STEIN, Secretary of the St. Tammany Parish Police Jury, hereby certify that the above and foregoing Ordinance was unanimously adopted by the St. Tammany Parish Police Jury in regular session, assembled on February 16, 1978, all of the members and a quorum being present.

JANIS B. STEIN, SECRETARY