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8 Introduced October 13, 1987 by  
9 Councilman Washington, seconded  
10 by Councilman Van Sandt (both  
11 by request)  
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14 **Item No. 87-10-1216**  
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18 **ORDINANCE NO. 2143**  
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20  
21 An ordinance rescinding and reenacting Article IV.  
22 Flood Hazard Prevention\*, of Chapter 7 Buildings\*, of the Code of  
23 Ordinances of the City of Slidell.  
24

25 BE IT ORDAINED by the Slidell City Council that Article  
26 IV. Flood Hazard Prevention\*, of Chapter 7 Buildings\*, of the Code  
27 of Ordinances of the City of Slidell is hereby rescinded and  
28 reenacted as follows:  
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31 **ARTICLE IV. FLOOD HAZARD PREVENTION**  
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34 **Sec. 7-21. Findings of fact.**  
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36 (a) The flood hazard areas of Slidell are subject to periodic  
37 inundation which can result in loss of life and property,  
38 health and safety hazards, disruption of commerce and  
39 governmental services, and extraordinary public  
40 expenditures for flood protection and relief, all of which  
41 adversely affect the public health, safety and general  
42 welfare.  
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44 (b) These flood losses are created by the cumulative effect of  
45 obstructions in floodplains which cause an increase in  
46 flood heights and velocities, and by the occupancy of flood  
47 hazard areas by uses vulnerable to floods and hazardous to  
48 other lands because they are inadequately elevated, flood  
49 proofed or otherwise protected from flood damage.  
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64 **Sec. 7-22. Methods of reducing flood losses.**  
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66 It is the purpose of this article to promote the public health,  
67 safety and general welfare and minimize public harm and private  
68 losses in special flood hazard areas with provisions designed to:  
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70 (a) Restrict or prohibit uses that are dangerous to health,  
71 safety or property in times of flood, or cause excessive  
72 increases in flood heights or velocities.  
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14 (b) Require that uses vulnerable to floods, including public  
15 facilities which serve such uses, be protected against  
16 flood damage at the time of initial construction;  
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18 (c) Control, in the sense of providing authoritative guidance,  
19 the alteration of natural floodplains, their protective  
20 barriers and stream channels;  
21  
22 (d) Prevent the construction of barriers which will divert  
23 floodwaters and subject other lands to greater flood  
24 hazards;  
25  
26 (e) Control, in the sense of providing authoritative guidance,  
27 development which would cause greater erosion or potential  
28 flood damage, such as grading, dredging and excavation.  
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40 **Sec. 7-23. Objectives.**

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42 The objectives of this article are:

- 43  
44 (a) To protect human life and property exposed to the hazards of  
45 flooding;  
46  
47 (b) To ensure that potential property owners are notified if  
48 property is a special flood hazard area;  
49  
50 (c) To minimize the need for rescue and relief efforts  
51 associated with flooding and generally undertaken at the  
52 expense of the general public;  
53  
54 (d) To minimize prolonged business interruptions;  
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56 (e) To minimize damage to public facilities and utilities such  
57 as water and gas mains, electric, telephone and sewer lines,  
58 streets and bridges located in special flood hazard areas;  
59  
60 (f) To minimize expenditure of future public money for costly  
61 flood control projects.  
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72 **Section 7-24. Definitions.**

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74 Unless specifically defined below, words or phrases used in  
75 this article shall be interpreted to give them the meaning they  
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14 have in common usage and to give this article its most reasonable  
15 application.  
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18 **APPEAL** means a request for a review of the administrator's  
19 interpretation of any provision of this article or a request for a  
20 variance.  
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23  
24 **AREA OF SHALLOW FLOODING** means a designated AO zone on a  
25 community's flood insurance rate map (FIRM) with base flood depths  
26 from one to three (3) feet. This condition occurs where a clearly  
27 defined channel does not exist, where the path of flooding is  
28 unpredictable and indeterminate, and where velocity flow may be  
29 evident.  
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37 **AREA OF SPECIAL FLOOD HAZARD** is the land in the floodplain  
38 within a community subject to a one percent or greater chance of  
39 flooding in any given year.  
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44 **BASE FLOOD** means the flood having a one percent chance of being  
45 equalled or exceeded in any given year.  
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49 **CRITICAL FEATURE** means an integral and readily identifiable  
50 part of a flood protection system, without which the flood protection  
51 provided by the entire system would be comprised.  
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56 **DEVELOPMENT** means any manmade change to improved or unimproved  
57 real estate, including but not limited to buildings or other  
58 structures, mining, dredging, filling, grading, paving, excavation  
59 or drilling operations.  
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65 **FLOOD or FLOODING** means a general and temporary condition of  
66 partial or complete inundation of normally dry land areas from:  
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- 68  
69 (1) The overflow of inland or tidal waters.  
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71 (2) The unusual and rapid accumulation of runoff of surface  
72 waters from any source.  
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76 **FLOOD HAZARD BOUNDARY MAP (FHBM)** means an official map of a  
77 community, issued by the Federal Insurance Administration, where  
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15 the areas within the boundaries of special flood hazards have been  
16  
17 designated as Zone A.  
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20 **FLOOD INSURANCE RATE MAP (FIRM)** means an official map of a  
21  
22 community on which the Federal Insurance Administration has  
23  
24 delineated both the areas of special flood hazards and risk  
25  
26 premium zones applicable to the community.  
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29 **FLOOD INSURANCE STUDY** is the official report provided by the  
30  
31 Federal Insurance Administration. The report contains flood  
32  
33 profiles, the water surface elevation of the base flood, as well  
34  
35 as the flood hazard boundary-floodway map.  
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38 **FLOODWAY** means the channel of a river or other watercourse  
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40 and the adjacent land areas that must be reserved in order to  
41  
42 discharge the base flood without cumulatively increasing the water  
43  
44 surface elevation more than one foot.  
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47 **FUNCTIONALLY DEPENDENT USE** means a use which can not perform  
48  
49 its intended purpose unless it is located or carried out in close  
50  
51 proximity to water. The term includes only docking facilities,  
52  
53 port facilities that are necessary for the loading and unloading  
54  
55 of cargo or passengers, and ship building and ship repair  
56  
57 facilities, but does not include long-term storage or related  
58  
59 manufacturing facilities.  
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62 **HABITABLE FLOOR** means any floor usable for living purposes,  
63  
64 which includes working, sleeping, eating or cooking or a  
65  
66 combination thereof. A floor used for storage purposes only is  
67  
68 not a "habitable floor".  
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71 **LEVEE SYSTEM** means a flood protection system which consists  
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73 of a levee, or levees, and associated structures, such as closure  
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75 and drainage devices, which are constructed and operated in  
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77 accordance with sound engineering practices.  
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14 **MANUFACTURED HOME** means a structure, transportable in one or  
15 more sections, which is built on a permanent chassis and designed  
16 to be used with or without a permanent foundation when connected  
17 to the required utilities. It does not include recreational  
18 vehicles or travel trailers.  
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25 **MANUFACTURED HOME PARK or MANUFACTURED HOME SUBDIVISION**  
26 means a parcel (or contiguous parcels) of land divided into two  
27 (2) or more manufactured home lots for rent or sale for which the  
28 construction of facilities for servicing the lot on which the  
29 manufactured home is to be affixed (including, at a minimum, the  
30 installation of utilities, either final site grading or the paving  
31 of concrete pads, and the construction of streets) is completed  
32 on or after the effective date of this ordinance.  
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42 **MEAN SEA LEVEL (MSL)** means, for the purpose of the National  
43 Flood Insurance Program, the National Geodetic Vertical Datum  
44 (NGVD) of 1929 or other datum, to which base flood elevations  
45 shown on a community's Flood Insurance Rate Map area referenced.  
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51 **START OF CONSTRUCTION** means the date the building permit was  
52 issued, provided the actual start of construction, repair,  
53 reconstruction, placement or other improvement was within 180 days  
54 of the permit date. The actual start means either the first  
55 placement of permanent construction of a structure on a site,  
56 such as the pouring of slab or footings, the installation of  
57 piles, the construction of columns, or any work beyond the stage  
58 of execution; or the placement of a manufactured home on a  
59 foundation. Permanent construction does not include land  
60 preparation, such as clearing, grading and filling; nor does it  
61 include the installation of streets and/or walkways; nor does it  
62 include excavations for a basement, footings, piers, or  
63 foundations or the erection of temporary forms; nor does it  
64 include the installation on the property of accessory buildings,  
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14 such as garages or sheds not occupied as dwelling units or not  
15 part of the main structure.  
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20 **STRUCTURE** means a walled and roofed building that is  
21 principally above ground, as well as a manufactured home.  
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26 **SUBSTANTIAL IMPROVEMENT** means any repair, reconstruction or  
27 improvement of a structure, the cost of which equals or exceeds  
28 fifty (50) per cent of the market value of the structure either  
29 before the improvement or repair is started, or if the structure  
30 has been damaged and is being restored, before the damage  
31 occurred. For the purposes of this definition, "substantial  
32 improvement" is considered to occur when the first alteration of  
33 any wall, ceiling, floor or other structural part of the building  
34 commences, whether or not that alteration affects the external  
35 dimensions of the structure. The term does not, however, include  
36 either any project for improvement of a structure to comply with  
37 existing state or local health, sanitary or safety code  
38 specifications which are solely necessary to assure safe living  
39 conditions, or any alteration of a structure listed on the  
40 National Register of Historic Places or a state inventory of  
41 historic places.  
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60 **VARIANCES** is a grant of relief to a person from the  
61 requirements of this article when specific enforcement would  
62 result in unnecessary hardship. A variance, therefore, permits  
63 construction and development in a manner otherwise prohibited by  
64 this article.  
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72 **Sec. 7-25. Lands to which article applies.**  
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74 This article shall apply to all areas of special flood hazard  
75 within the jurisdiction of Slidell, Louisiana.  
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16 **Sec. 7-26. Basis for establishing areas of special flood hazard.**

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18 The areas of special flood hazard identified by the Federal  
19 Insurance Administration in a scientific and engineering report  
20 entitled "The Flood Insurance Study for the City of Slidell",  
21 dated November 19, 1980, with accompanying Flood Insurance Rate  
22 Maps is hereby adopted by reference and declared to be a part of  
23 this article. The flood insurance study is on file in the clerk  
24 of council's office, 2055 Second Street, Slidell, Louisiana.  
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34 **Sec. 7-27. Establishment of development permit.**

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36 A development permit shall be required to ensure conformance  
37 with the provisions of this article.  
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42 **Sec. 7-28. Compliance.**

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44 No structure or land shall hereafter be located, altered or have  
45 its use changed without full compliance with the terms of this  
46 article and other applicable regulations.  
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52 **Sec. 7-29. Warning and disclaimer of liability.**

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54 The degree of flood protection required by this article is  
55 considered reasonable for regulatory purposes and is based on  
56 scientific and engineering considerations. On rare occasions  
57 greater floods can and will occur and flood height may be  
58 increased by manmade or natural causes. This article does not  
59 imply that land outside the areas of special flood hazards or uses  
60 permitted within such areas will be free from flooding or flood  
61 damages. This article shall not create liability on the part of  
62 the City of Slidell or any officer or employee thereof for any  
63 flood damages that result from reliance on this article or any  
64 administrative decision lawfully made thereunder.  
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14 **Sec. 7-30. Administration.**

- 15  
16 (a) Designation of administrator. The city engineer is hereby  
17 appointed to administer and implement the provisions of  
18 this article. In the absence of the city engineer, the  
19 duties of the administrator shall be handled by the mayor's  
20 designee.  
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26 (b) Duties and responsibilities of the administrator. Duties  
27 and responsibilities of the administrator shall be to:  
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31 (1) Maintain and hold open for public inspection all records  
32 pertaining to the provisions of this article;  
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34 (2) Review, approve or deny all applications for development  
35 permits required by section 7-27;  
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38 (3) Review permits for proposed development to assure that  
39 all necessary permits have been obtained from those  
40 federal, state or local governmental agencies from which  
41 prior approval is required;  
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44 (4) Where interpretation is needed as to the exact  
45 location of the boundaries of the areas of special  
46 flood hazards (for example, where there appears to be  
47 a conflict between a mapped boundary and actual field  
48 conditions), the administrator shall make the  
49 necessary interpretation;  
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52 (5) Notify adjacent communities and the Louisiana  
53 Department of Urban and Community Affairs prior to any  
54 alteration or relocation of a watercourse, and submit  
55 evidence of such notification to the Federal Insurance  
56 Administration;  
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58  
59 (6) Assure that maintenance is provided within the altered  
60 or relocated portion of said watercourse so that the  
61 flood-carrying capacity is not diminished; that is,  
62 that someone or somebody, organization, etc., is  
63 responsible for maintaining it and is capable of being  
64 maintained;  
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14 (7) When base flood elevation data has not been provided  
15 in accordance with section 7-26, the administrator  
16 shall obtain, review and reasonably utilize any base  
17 flood elevation data available from a federal, state,  
18 or other source, in order to administer the provisions  
19 of sections 7-33 through 7-35.  
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28 **Sec. 7-31. Permit procedures.**

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30 Application for a development permit shall be presented to  
31 the administrator on forms furnished by the administrator and may  
32 include, but not be limited to, plans in duplicate drawn to scale  
33 showing the location, dimensions and elevation of proposed  
34 landscape alterations, existing and proposed structures, and the  
35 location of the foregoing in relation to areas of special flood  
36 hazard. Additionally, the following information is required;  
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- 44 (a) Elevation, in relation to mean sea level, of the bottom of  
45 the lowest structural member (bottom of sill for pier  
46 construction and bottom of plate for slab construction)  
47 of the lowest floor (including basement) of all proposed  
48 structures;  
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54 (b) A certificate from a registered professional engineer or  
55 architect that the non residential structure shall meet the  
56 criteria of section 7-34 (b).  
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61 (c) Description of the extent to which any watercourse or  
62 natural drainage will be altered or relocated as a result of  
63 proposed development.  
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69 **Sec. 7-32. Variance procedures.**

- 70  
71 (a) The planning commission as established by the City of  
72 Slidell shall hear and render judgment on requests for  
73 variances from the requirements of this article,  
74 said requests must be made by the present owner of the  
75 property.  
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14 (b) The planning commission shall hear and render judgment on  
15 an appeal only when it is alleged that there is an error in  
16 any requirement, decision or determination made by the  
17 administrator in the enforcement or administration of this  
18 article.  
19

20 (c) Any person or persons aggrieved by the decision of the  
21 planning commission may appeal such decision in the courts  
22 of competent jurisdiction.  
23

24 (d) The administrator shall maintain a record of all actions  
25 involving an appeal and shall report variances to the  
26 Federal Insurance Administration upon request.  
27

28 (e) Variances may be issued for the reconstruction,  
29 rehabilitation or restoration of structures listed on the  
30 National Register of Historic Places or the state inventory  
31 of historic places, without regard to the procedures set  
32 forth in the remainder of this section.  
33

34 (f) Generally, variances may be issued for new construction and  
35 substantial improvements to be erected on a lot of one-half  
36 acre or less in size contiguous to and surrounded by lots  
37 with existing structures constructed below the base flood  
38 level, providing the relevant factors in subsection (g)  
39 hereof have been fully considered. As the lot size  
40 increases beyond the one-half acre, the technical  
41 justification required for issuing the variance increases.  
42

43 (g) In passing on application for variance or appeals, the  
44 planning commission shall consider all of the provisions of  
45 this article and the following relevant factors:  
46

47 (1) The danger to life and property due to flooding or  
48 erosion damage;  
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50 (2) The susceptibility of the proposed facility and its  
51 contents to flood damage and the effect of such damage  
52 on the individual owner;  
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- 14 (3) The danger that materials may be swept onto other  
15 lands to the injury of others;  
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17 (4) The compatibility of the proposed use with existing  
18 and anticipated development;  
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20 (5) The safety of access to the property in times of flood  
21 for ordinary and emergency vehicles;  
22  
23 (6) The costs of providing governmental services during  
24 and after flood conditions including maintenance and  
25 repair of streets and bridges, and public utilities  
26 and facilities such as sewer, gas, electrical and  
27 water systems.  
28  
29 (7) The expected heights, velocity, duration, rate of rise  
30 and sediment transport of the floodwaters and the  
31 effects of wave action, if applicable, expected at the  
32 site;  
33  
34 (8) The necessity to the facility of a waterfront  
35 location, where applicable;  
36  
37 (9) The availability of alternative locations, not subject  
38 to flooding or erosion damage, from the proposed use;  
39  
40 (10) The relationship of the proposed use to the  
41 comprehensive plan for that area.  
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57 (h) Upon consideration of the factors noted above and the  
58 intent of this article, the planning commission may attach  
59 such conditions to the granting of variances as it deems  
60 necessary to further the purpose and objectives of this  
61 article, as set out in section 7-23.  
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66 (i) Variances shall not be issued within any designated  
67 floodway if any increase in flood levels during the base  
68 flood discharge would result.  
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72 (j) Prerequisites for granting variances:  
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- 74 (1) Variances shall only be issued upon a determination  
75 that the variance is the minimum necessary,  
76 considering the flood hazard, to afford relief.  
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- 14 (2) Variances shall only be issued upon:  
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16 a. A showing of good and sufficient cause,  
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18 b. A determination that failure to grant the variance  
19  
20 would result in exceptional hardship to the  
21  
22 applicant, and  
23  
24 c. A determination that the granting of a variance  
25  
26 will not result in increased flood heights,  
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28 additional threats to public safety, extraordinary  
29  
30 public expense, create nuisances, cause fraud on  
31  
32 or victimization of the public, or conflict with  
33  
34 existing local laws or ordinances.  
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37 (3) Any applicant to whom a variance is granted shall be  
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39 given written notice that the structure will be  
40  
41 permitted to be built with a lowest floor elevation  
42  
43 below the base flood elevation, and the cost of flood  
44  
45 insurance will be commensurate with the increased risk  
46  
47 resulting from the reduced lowest floor elevation.  
48  
49 (4) Neither the City of Slidell, nor any of its officials,  
50  
51 either elected or appointed, shall be held liable for  
52  
53 any damages sustained as a result of the granting of  
54  
55 or the denial of a variance to this article.  
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- 57  
58 (k) When the ownership of any property on which a variance has  
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60 been granted is proposed to be transferred, the prospective  
61  
62 owner shall be notified in writing by the present owner of  
63  
64 the property of the variance granted and any use thereof.  
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66 The variance must be made part of the public records by the  
67  
68 planning and zoning commission.  
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72 **Sec. 7-33. General construction requirements.**  
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74 In all areas of special flood hazards, the following  
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76 provisions are required:  
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14 (a) All new construction and substantial improvements shall be  
15 anchored to prevent flotation, collapse or lateral movement  
16 of the structure;  
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19 (b) All new construction or substantial improvements shall be  
20 constructed by methods and practices that minimize flood  
21 damage or,  
22  
23  
24 (c) All new construction or substantial improvements shall be  
25 constructed with materials and utility equipment resistant  
26 to flood damage;  
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28  
29 (d) All new and replacement water supply systems shall be  
30 designed to minimize or eliminate infiltration of  
31 floodwaters into the system;  
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34 (e) New and replacement sanitary sewage systems shall be  
35 designed to minimize or eliminate infiltration of  
36 floodwaters into the system and discharges from the systems  
37 into floodwaters; and  
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40 (f) On-site water disposal systems shall be located to avoid  
41 impairment to them or contamination from them during  
42 flooding.  
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45 (g) Fully enclosed areas below the lowest floor that are  
46 subject to flooding shall be designed to automatically  
47 equalize hydrostatic flood forces on exterior walls by  
48 allowing for the entry and exit of floodwaters. Designs  
49 for meeting this requirement must either be certified by a  
50 registered professional engineer or architect or meet or  
51 exceed the following minimum criteria:  
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54 (1) A minimum of two openings having a total net area of  
55 not less than one square inch for every square foot of  
56 enclosed area subject to flooding shall be provided.  
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59 (2) The bottom of all openings shall be no higher than one  
60 foot above grade.  
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14 (3) Openings may be equipped with screens, louvers, valves,  
15 or other coverings or devices provided that they permit  
16 the automatic entry and exit of floodwaters.  
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20 (h) Electrical, heating, ventilation, plumbing, and air-  
21 conditioning equipment and other service facilities shall  
22 be designed and/or located so as to prevent water from  
23 entering or accumulating within the components during  
24 conditions of flooding.  
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28 (i) On all new structures or substantially improved structures,  
29 the owner or builder shall be required to supply to the  
30 City Engineer and Building Official a legal, stamped survey  
31 or certification that certifies the elevation above mean  
32 sea level (MSL) of the bottom of the lowest structural  
33 member of the lowest floor of the structure. This  
34 certification shall be performed immediately after the  
35 construction and installation of the lowest finished floor  
36 elevation.  
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50 **Sec. 7-34. Specific standards for different types of construction.**

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52 In all areas of special flood hazards where base flood  
53 elevation data has been provided, the following provisions are  
54 required:  
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56  
57 (a) Residential construction. New construction or substantial  
58 improvement, as defined, of any residential structure shall  
59 have the lowest floor, including basement, elevated to or  
60 above the base flood elevation. A registered professional  
61 engineer, architect or land surveyor shall submit a  
62 certification to the administrator that the standard of this  
63 subsection, as proposed in section 7-31 (a), is satisfied.  
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71 (b) Non-residential construction. New construction or  
72 substantial improvements, as defined, of any commercial,  
73 industrial or other non-residential structure shall have the  
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15 lowest floor, including basement, elevated to the level of  
16 the base flood elevation. A registered professional  
17 engineer or architect shall submit a certification to the  
18 administrator that the standards of this subsection, as  
19 defined in section 7-31 (b), are satisfied.  
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27 Where a non-residential structure is intended to be made  
28 water tight below the base flood level, a registered  
29 professional engineer or architect shall develop and/or  
30 review structural design, specifications, and plans for the  
31 construction, and shall certify that the design and methods  
32 of construction are in accordance with accepted standards of  
33 practice for meeting the applicable provisions of this  
34 ordinance, and a record of such certificates which includes  
35 the specific elevation (in relation to mean sea level) to  
36 which such structures are flood-proofed shall be maintained  
37 with the Building Official.  
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50 (c) Manufactured homes:

51 (1) No manufactured home shall be placed in a floodway or  
52 coastal high hazard area.  
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54 (2) All manufactured homes shall be anchored to resist  
55 flotation, collapse, or lateral movement. Specific  
56 requirements shall be:  
57

58 a. Over-the-top ties at each of the four (4) corners  
59 of the manufactured home, with two (2) additional  
60 ties per side at intermediate locations;  
61 manufactured homes less than fifty (50) feet long  
62 require only one additional tie per side; or  
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14 frame ties at each corner of the home with one  
15 (1) additional tie per each 12 ft. of side at  
16 intermediate points; manufactured homes less than  
17 fifty (50) feet long require only four (4)  
18 additional ties per side;

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24 b. All components of the anchoring system must  
25 individually be capable of carrying a force of  
26 four thousand eight hundred (4,800) pounds;  
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28 c. Any additions to the manufactured home be  
29 similarly anchored.  
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34 d. All manufactured homes to be placed or  
35 substantially improved within Zones A-1-30, AH and  
36 AE on the community's FIRM shall be elevated on a  
37 permanent foundation such that the lowest floor of  
38 the manufactured home is at or above base flood  
39 elevation and be securely anchored in accordance  
40 with Section (2) above.  
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50 **Sec. 7-35. Standards for subdivision proposals.**

- 51  
52 (a) All subdivision proposals shall be consistent with sections  
53 7-21, 7-22, and 7-23.  
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55 (b) All proposals for the development of subdivisions shall  
56 meet development permit requirements of sections 7-27,  
57 7-31 and 7-33 through 7-35.  
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59 (c) Base flood elevation data shall be provided for subdivision  
60 proposals and other proposed development which is greater  
61 than the lesser of fifty (50) lots or five (5) acres, if  
62 not otherwise provided pursuant to section 7-27 or  
63 7-30 (b)(7).  
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65 (d) All subdivision proposals shall have adequate drainage  
66 provided to reduce exposure to flood hazards.  
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14 (e) All subdivision proposals shall have public utilities and  
15 facilities such as sewer, gas, electrical and water systems  
16 located and constructed to minimize flood damages.  
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22 Sec. 7-36 - 7-40. Reserved.  
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24  
25 ADOPTED this 10th day of November, 1987.

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29  
30 **DELIVERED** 11/12/87

31 8:40 A.M. to the Mayor

32  
33 **RECEIVED** 11/17/87

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35 10:10 A.M. from the Mayor

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*Lionel S. Washington*  
Lionel S. Washington  
Councilman District A  
President of the Council

*Salvatore A. Caruso*  
Salvatore A. Caruso  
Mayor

*Davis Dautreuil*

Davis Dautreuil  
Council Administrator/Clerk of the Council