



City Of Scio, Oregon



ORDINANCE NO. 612

AN ORDINANCE AMENDING ORDINANCE 579 THE SCIO FLOOD HAZARD ORDINANCE

WHEREAS, the Planning Commission recommends various sections of the Scio Flood Hazard Ordinance No. 579 be amended to revise administrative provisions of the code and ensure compliance with the intent and requirements of the National Flood Insurance Program; and

WHEREAS, the Planning Commission held a public hearing on January 30, 2019 to consider the amendments and recommends the City Council adopt the proposed amendments; and

WHEREAS, the City Council held a public hearing on February 11, 2019; and

WHEREAS, on February 11, 2019 the City Council concurred with the Planning Commission recommendations;

NOW, THEREFORE, the City Council of the City of Scio hereby ordains as follows:

SECTION 1. Section 3 of the Scio Flood Hazard Ordinance is hereby amended to add the following definition:

“City Manager” means the City Manager of the City of Scio, Oregon, or designee

SECTION 2. Section 4.D of the Scio Flood Hazard Ordinance is hereby amended to read as follows:

D. Establishment of Floodplain Development Permit

A Floodplain Development Permit shall be required prior to initiating development activities in any Areas of Special Flood Hazard established in Section 4.B.

SECTION 3. Section 5.C of the Scio Flood Hazard Ordinance is hereby amended to read as follows:

C. Permit Procedures

Application for a Floodplain Development Permit shall be made to the City on forms furnished by the City. Specifically, the following information is required:

- (1) Application Stage

- (a) Plans in duplicate drawn to scale with elevations of the project area and the nature, location, dimensions of existing and proposed structures, earthen fill placement, storage of materials or equipment and drainage facilities;
 - (b) Delineation of flood hazard areas, floodway boundaries including Base Flood Elevations, or flood depth in AO zones, where available;
 - (c) For all proposed structures, elevation in relation to mean sea level and the Base Flood Elevation, or flood depth in AO zones, of the:
 - i. lowest floor, including crawlspace or basement floor, of all structures;
 - ii. top of the proposed garage slab, if any, and;
 - iii. next highest floor
 - (d) Locations and sizes of all flood openings in any proposed building;
 - (e) Elevation in relation to mean sea level of flood-proofing in any structure;
 - (f) An elevation certificate (based on construction drawings) for any new residential structure and certification from a registered professional engineer or architect that any proposed nonresidential flood-proofed structure will meet the flood-proofing criteria in Section 6.E(3);
 - (g) Description of the extent to which any watercourse will be altered or relocated as a result of a proposed development;
- (2) Construction Stage
- (a) For all new construction and substantial improvements, the permit holder shall provide to the Floodplain Administrator an elevation certificate (building under construction) with certification of the floor elevation or flood-proofing level immediately after the lowest floor or flood-proofing is placed and prior to further vertical construction;
 - (b) Any deficiencies identified by the Floodplain Administrator shall be corrected by the permit holder immediately and prior to work proceeding. Failure to submit certification or failure to make the corrections shall be cause for the Floodplain Administrator to issue a stop-work order for the project.
- (3) Certificate of Occupancy
- (a) In addition to the requirements of the Building Codes pertaining to certificate of occupancy, prior to the final inspection the owner or authorized agent shall submit an elevation certificate (finished construction) including the following documentation that has been prepared and sealed by a registered surveyor or engineer:
 - i. For elevated buildings and structures in non-coastal Areas of Special Flood Hazard (A zones), the as-built elevation of the lowest

floor, including basement or where no Base Flood Elevation is available the height above highest adjacent grade of the lowest floor; and

- ii. For buildings and structures that have been flood-proofed, the elevation to which the building or structure was flood-proofed.
- (b) Failure to submit certification or failure to correct violations shall be cause for the Floodplain Administrator to withhold a certificate of occupancy until such deficiencies are corrected.
- (4) Expiration of Floodplain Development Permit
 - (a) A floodplain development permit shall expire 180 days after issuance unless the permitted activity has substantially begun and thereafter is pursued to completion.
 - (b) Commencement of work includes start of construction, when the permitted work requires a building permit.

SECTION 4. Section 6.A of the Scio Flood Hazard Ordinance is hereby amended to read as follows:

A. General Standards

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

- (1) Anchoring
 - (a) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
 - (b) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA’s “Manufactured Home Installation in Flood Hazard Areas” guidebook for additional techniques).
- (2) Construction Materials and Methods
 - (a) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - (b) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 - (c) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components

during conditions of flooding. HVAC, electrical and/or mechanical systems shall be located at least 1' above the Base Flood Elevation.

- (3) Utilities
 - (a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - (b) 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;
 - (c) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality, and.
- (4) Subdivision Proposals
 - (a) All subdivision proposals shall be consistent with the need to minimize flood damage;
 - (b) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
 - (c) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
 - (d) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).
- (5) Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 5.C(2)), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.
- (6) Balanced Cut and Fill Required. Any project within the Special Flood Hazard Area shall comply with the City of Scio's balanced cut and fill ordinance.

SECTION 5. Section 6.E.1 of the Scio Flood Hazard Ordinance is hereby amended to read as follows:

E. Building Design and Construction

Buildings and structures, including manufactured dwellings, within the scope of the Building Codes, including repair of substantial damage and substantial improvement of such existing buildings and structures, shall be designed and constructed in accordance with the flood-resistant construction provisions of these codes, including but not limited to Section R324 of the Residential Specialty Code and Section 1612 of the Structural Specialty Code.

- (1) In All Areas of Special Flood Hazards,
 - (a) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure;
 - (b) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage
 - (c) New construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
 - (d) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. HVAC, electrical and/or mechanical systems shall be located at least 1' above the Base Flood Elevation.

Sections 6.E.2 through Section 6.E.4 of Ordinance 579 are not amended by this Ordinance and remain in full force and effect.

SECTION 6. SEVERABILITY

This ordinance is hereby declared to be severable. Should any section, clause, sentence or phrase of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

SECTION 7. EMERGENCY

Whereas, the City Council of the City of Scio considers it necessary that the foregoing ordinance be enacted for the protection of the public health, safety and welfare of the residents of the City of Scio, Oregon an emergency is hereby declared to exist and the provisions of this Ordinance shall be in full force and effect from and after its passage by the City Council and its approval by the Mayor.

This Ordinance read by title only on 11th day of February 2019.

This Ordinance passed by the Scio City Council and executed by the Mayor on this 11th day of February, 2019, by a vote of 6 yeas and 0 nays.

Date: 2-13-19

By: 
GARY C. WEAVER, Mayor

Date: 2-13-19

Attest: 
VIRGINIA A. ALLEN, City Manager

APPROVED AS TO FORM

Date: 3/4/18

By: 
JOHN E. KENNEDY, City Attorney