

ORDINANCE NO. 2022-14

AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 9.08 OF THE CENTERVILLE MUNICIPAL CODE REGARDING FLOOD DAMAGE PREVENTION IN ACCORDANCE WITH FINAL FLOOD HAZARD DETERMINATIONS ISSUED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY

WHEREAS, the Federal Emergency Management Agency (“FEMA”) has issued final flood hazard determinations for Davis County including new or modified Flood Insurance Rate Maps (“FIRMs”) and supporting Flood Insurance Study (“FIS”) reports; and

WHEREAS, the updated FIRMs and FIS reports are the basis for floodplain management measures that communities within Davis County are required to either adopt or to show evidence of having in effect to qualify or remain qualified for participation in FEMA’s National Flood Insurance Program (“NFIP”); and

WHEREAS, the City Council desires to amend certain provisions of Chapter 9.08 (Flood Damage Prevention) of the Centerville Municipal Code to add clarifying provisions regarding FEMA’s updated Flood Insurance Study for Davis County as more particularly set forth herein; and

WHEREAS, the City Council finds that the proposed amendments to Chapter 9.08 (Flood Damage Prevention) of the Centerville Municipal Code will bring the City’s ordinances into compliance with State and Federal regulations and will help protect the health, safety, and welfare of Centerville City, its inhabitants, and the environment by addressing flood damage prevention.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CENTERVILLE CITY, STATE OF UTAH:

Section 1. **Amendment.** Subsection 9.08.030(b) of the Centerville Municipal Code regarding the Basis for Establishing the Special Flood Hazard Areas is hereby amended to read in its entirety set forth as follows:

9.08.030 General Provisions

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- (b) Basis for Establishing the Special Flood Hazard Areas. The special flood hazard areas identified by the Federal Emergency Management Agency in a scientific and engineering report entitles “The Flood Insurance Study for Davis County, dated September 15, 2022, the City of Centerville,” ~~dated June 18, 2007,~~ with an accompanying Flood Insurance Rate Map (FIRM), as amended, are hereby adopted by reference and declared to be a part of this Chapter. The Flood Insurance Study and FIRM, and amendments, are available for inspection at the City Public Works Offices, 655 north 1250 West, Centerville, Utah 84014.

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Section 2. Amendment. Subsection 9.08.090(d) of the Centerville Municipal Code regarding Subdivision Proposals is hereby amended to read in its entirety set forth as follows:

9.08.090 General Standards

* * *

(d) Subdivision Proposals.

- (1) All subdivision proposals (including proposals for manufactured home parks and subdivisions) shall be consistent with the need to minimize flood damage in accordance with the purposes and intent of this Chapter.
- (2) All subdivision proposals (including proposals for manufactured home parks and subdivisions) shall meet the permit requirements of CMC 9.08.060 and all applicable provisions of CMC 9.08.090 and CMC 9.08.100.
- ~~(3) All subdivision proposals (including proposals from manufactured home parks and subdivisions) shall be consistent with the need to minimize flood damage in accordance with the purposes and intent of this Chapter.~~
- ~~(4)~~(3) All subdivision proposals (including proposals for manufactured home parks and subdivisions) shall have adequate drainage provided to reduce exposure to flood hazards.
- ~~(5)~~(4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including proposals for manufactured home parks and subdivisions) which contain at least 50 lots or five acres (whichever is less), if not otherwise provided by CMC 9.08.030(b) (Basis for Establishing the Special Flood Hazard Areas) or CMC 9.08.080(b) (Use of Other Base Flood Data).

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Section 3. Amendment. Subsection 9.08.100(a) of the Centerville Municipal Code regarding Residential Construction is hereby amended to read in its entirety set forth as follows:

9.08.100 Specific Standards

* * *

(a) Residential Construction.

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor (including basement) elevated one foot ~~to or~~ above the base flood elevation with certification provided to the Administrator by a registered professional engineer, architect, or land surveyor.
- (2) Require within any AO Zone on the City's FIRM that all new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated one foot above the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified).
- (3) Require adequate drainage paths around structures on slopes, to guide flood waters around and away from proposed structures within Zones AH and AO.

Section 4. Amendment. Subsection 9.08.100(b) of the Centerville Municipal Code regarding Nonresidential Construction is hereby amended to read in its entirety set forth as follows:

9.08.100 Specific Standards

* * *

(b) Nonresidential Construction.

- (1) New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall either have the lowest floor (including basement) elevated one foot above ~~to or above the level of~~ the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
 - A. Be floodproofed so that below one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;
 - B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - C. Be certified by a registered professional engineer or land surveyor that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph. Such certifications shall be provided to the Public Works Director and include the specific elevation (in relation to mean sea level) to which such structures are floodproofed.
- (2) Require within any AO Zone on the City's FIRM that all new construction and substantial improvements of nonresidential structures: (a) have the lowest floor (including basement) elevated one foot above the highest adjacent grade at least as high as the depth number specified in feet on the City's FIRM (at least two feet if no depth number is specified); or (b) together with attendant utility and sanitary facilities be completely floodproofed to that level to meet the floodproofing standard specified in Subsection (b)(1)(A) and (B), above.
- (3) Require adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures within Zones AH and AO.

Section 5. Amendment. Subsection 9.08.100(e) of the Centerville Municipal Code regarding Regulations for V1-30, VB, and V Zones is hereby amended to read in its entirety set forth as follows:

9.08.100 Specific Standards

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(e) Regulations for VE ~~V1-30, VB,~~ and V Zones.

- (1) Landward Location. All new construction within Zones ~~V1-30,~~ VE, and V must be located landward of the reach of mean high tide.
- (2) Elevation.
 - A. All new construction and substantial improvements in Zones ~~V1-30,~~ VE, and also Zone V, if base flood elevation data is available, must be elevated on pilings and columns so that:

- i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and
 - ii. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
 - B. A registered professional engineer or surveyor shall develop or review the structural design, specifications and plans for the construction requirements of Subsection (A), and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Subsection (A).
- (3) Space Below the Lowest Floor.
- A. All new construction and substantial improvements within Zones ~~V1-30~~, ~~VE~~, and V must have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
 - B. For the purposes of this Section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or surveyor certifies that the designs proposed meet the following conditions:
 - i. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
 - ii. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
 - iii. Such enclosed space shall be useable solely for parking vehicles, building access, or storage.
- (4) Fill and Man-Made Alterations Prohibited. The use of fill is prohibited for structural support of buildings within Zones ~~VE~~ ~~V1-30~~, ~~VB~~, and V. Man-made alteration of sand dunes and mangrove stands within Zones ~~VE~~ ~~V1-30~~, ~~VB~~, and V which would increase potential flood damage is prohibited.

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Section 6. Amendments. Any references in Chapter 9.08 (Flood Damage Prevention) to “V1-30” or “A1-30” is hereby amended to eliminate such references.

Section 7. Severability Clause. If any section, part, or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance, and all provisions, clauses and words of this Ordinance shall be severable. This Section shall become effective without codification.

Section 8. Effective Date. This Ordinance shall become effective on immediately upon publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF CENTERVILLE,
STATE OF UTAH, ON THIS 21st DAY OF JUNE, 2022**

ATTEST:

CENTERVILLE CITY

Jennifer Robison
Jennifer Robison, City Recorder

By: Clark A. Wilkinson
Mayor Clark A. Wilkinson

Voting by the City Council:

	"AYE"	"NAY"	"ABSENT"
Councilmember Hirst	<u>X</u>	_____	_____
Councilmember Ince	<u>X</u>	_____	_____
Councilmember McEwan	_____	_____	<u>X</u>
Councilmember Mecham	<u>X</u>	_____	_____
Councilmember Summerhays	<u>X</u>	_____	_____

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provisions of the U.C.A. § 10-3-713, as amended, I, the municipal recorder of Centerville City, hereby certify that foregoing ordinance was duly passed by the City Council and published or posted at: (1) 250 North Main; (2) 655 North 1250 West; and (3) RB's Gas Station, on the foregoing referenced dates.

Jennifer Robison
JENNIFER ROBISON, City Recorder

DATE: 6-22-2022

RECORDED this 22nd day of June, 2022.

PUBLISHED OR POSTED this 22nd of June, 2022.

