

## **Title 15**

### **BUILDINGS AND CONSTRUCTION**

#### **Chapters:**

- 15.04 State Building Codes Adopted**
- 15.08 Design Review Procedures**
- 15.12 Moving of Buildings**
- 15.16 Trailer Coaches and Trailer Parks**
- 15.20 Flood Hazard Protection Regulations**

**Chapter 15.04**

**STATE BUILDING CODES  
ADOPTED**

**Sections:**

- 15.04.010 Standards applicable to building.**
- 15.04.020 Adoption of state codes.**
- 15.04.030 City administration of codes.**
- 15.04.040 Local interpretation.**
- 15.04.050 Violation—Penalty.**

**15.04.010 Standards applicable to building**

In addition to compliance with the ordinance codified in this chapter and other pertinent ordinances of the city, building and related activities shall comply with state building code standards adopted by the Administrator of the Building Codes Agency as these codes apply at the time of the building or related activity. No person may undertake building or related activities without compliance with these standards. (Ord. 5-1990 § 1)

**15.04.020 Adoption of state codes**

A. The City hereby adopts and enforces the Oregon Building Code per ORS 455 and the rules adopted thereunder.

B. The City adopts and enforces all Appendices of the Oregon Structural Specialty Code.

C. Building and related activities shall comply with the State Structural Specialty Codes, including the Building, Mechanical, Plumbing and Electrical Codes, adopted by the Director of the Oregon Department of Commerce and

the Fire and Life Safety Code Standards adopted by the State Fire Marshal, as these codes apply at the time of the building or related activity. No person may undertake building or related activities without compliance with these codes.

D. The City also adopts the 1997 International Conference of Building Officials Uniform Code for the Abatement of Dangerous Buildings. (Ord. 6-2005 § 1; Ord. 4-2004 § 1; Ord.7-2009)

**15.04.030 City administration of codes**

The City shall provide for specialty code administration, including plan checking, permit issuance and inspection for structural, mechanical, plumbing and electrical work. Administrative provisions adopted by the City for such purpose shall at all times be consistent with the intent of pertinent state statutes relating to Code enforcement and shall be approved and adopted by Council resolution. Such administrative provisions may, from time to time, be modified as required in the same manner. (Ord. 5-1990 § 3)

**15.04.040 Local interpretation**

In addition to the provisions of Section 106 of the Structural Specialty Code and similar provisions of other Specialty Codes, the building official of the city may approve a material or a method of construction not specifically prescribed by this chapter, provided he finds that the proposed design is satisfactory and that the material, method or work offered is for the purpose intended, and is at least the equivalent of

that specifically prescribed by this chapter in quality, effectiveness, fire resistance, durability, safety, and energy conservation, and that the Administrator of the Building Codes Agency has not issued a report disapproving the material or method for the purpose. The building official of the city may refer the proposed design to the Structural Code Advisory Board within thirty (30) days of the date of the ruling. The provisions of this section shall not be interpreted to preclude a person from requesting a ruling from the Administrator of the Building Codes Agency prior to submitting an application to the city for a permit or after withdrawing a previously submitted application. (Ord. 5-1990 § 4)

**15.04.050 Violation—Penalty**

The violation of this chapter is a civil infraction subject to enforcement pursuant to Chapter 1.06 of the Code. (Ord. 4-2006 § 23; Ord. 2-2001 § 2)

## Chapter 15.08

### DESIGN REVIEW PROCEDURES

#### Sections:

- 15.08.010 Findings.**
- 15.08.020 Purpose.**
- 15.08.030 Design Review Board established.**
- 15.08.040 Membership, officers.**
- 15.08.050 Meetings, quorum, offices.**
- 15.08.060 Commission records.**

#### **15.08.010 Findings.**

The Wood Village City Council finds that excessive dissimilarity or uniformity, or inappropriateness or poor quality of design in the exterior appearance of structures and signs, and the lack of proper attention to site characteristics, including compatibility with and the effect upon the surrounding environment and neighborhood and general landscaping in those areas of the city provided for business, commercial and industrial development, as well as certain multiple residential areas, hinders the harmonious development of the city and impairs the desirability of residence, occupation or investment in the city, and limits the opportunity to obtain the optimum use and value of the concerned land and improvements thereupon, which adversely affects the stability and value of property, produces a degeneration thereof in such areas, with attendant deterioration of conditions affecting the peace, health, safety and welfare of the city, its residents and inhabitants, and limits the development of a proper relationship between the taxable value of such properties and the cost of municipal services therefor. (Ord. 4-1981 § 1)

#### **15.08.020 Purpose**

It is the Council's intent and purpose and objective as expressed by this chapter and the creation of a Design Review Board for the city, to promote functional, safe, innovative and attractive site development compatible with the natural and man-made environment appertaining thereto, and to encourage originality, flexibility and innovation in site planning and development, including the architecture, landscaping and graphic design thereof, and to discourage monotonous, drab, unsightly, dreary and inharmonious developments, and to conserve the city's natural beauty and visual character and charm by insuring that structures, signs and other improvements in the areas of concern are properly related to their sites and to surrounding sites and structures, with due regard to the quality of the natural terrain and landscaping, and to promote the stabilization and improvement of property values, prevent blighted areas and thus increase tax revenues, and finally to sustain the comfort, health, tranquility and contentment of residents and attract new residents by reason of the city's favorable environment and thus promote and protect the peace, health, safety and welfare of the city, while fostering civic pride and community spirit so as to improve the quality and quantity of citizen participation in local government and community growth. (Ord. 4-1981 § 2)

**15.08.030 Design Review Board established**

There is established for the city a Design Review Board. (Ord. 4-1981 § 3)

the City Hall and all such records shall be open to Council inspection at all times and may, if appropriate, be audited annually by the city treasurer or auditor. (Ord. 4-1981 § 15)

**15.08.040 Membership, officers**

Membership of the Wood Village Design Review Board shall consist of the members of the city Planning Commission, who shall serve during their term of office as Planning Commission members. The Board of review shall select from among its members, a chairman who shall be counted to determine a quorum and have a voting right. The City Recorder or the city planning director shall serve as secretary to the Board, and also in an advisory capacity. (Ord. 4-1981 § 4)

**15.08.050 Meetings, quorum, offices**

The Board shall make and establish rules and regulations necessary to carry out its designated functions. Meetings shall be held as required, either mandated before or after Planning Commission meetings at the same location; meeting notices shall be given in the same manner as required of the Planning Commission. (Ord. 4-1981 § 5)

**15.08.060 Commission records**

Complete records shall be kept of all actions of the Design Review Board, including minutes of all formal, executive or other meetings. Records of the Commission shall be kept and maintained at appropriate location within

## Chapter 15.12

### MOVING OF BUILDINGS

#### Sections:

- 15.12.010 Permit required.**
  - 15.12.020 Application—Contents.**
  - 15.12.030 Application—Attachments.**
  - 15.12.040 Application—Statement of agreement not to damage property.**
  - 15.12.050 Notification of nearby property owners—Public hearing when.**
  - 15.12.060 Notification of public hearing—Decision of Council.**
  - 15.12.070 Permit fee.**
  - 15.12.080 Bond or insurance policy.**
  - 15.12.090 Approval of permit by chief of police, building inspector and City Council.**
  - 15.12.100 City engineer—Approval of equipment and route.**
  - 15.12.110 Moving to be continuous—Exceptions.**
  - 15.12.120 Special requirements for hours of darkness.**
  - 15.12.130 Permit contents—Mode, route, expiration date, restrictions.**
  - 15.12.140 Building permit required.**
  - 15.12.150 Failure to remove building—Separate violation.**
  - 15.12.160 Violation—Penalty.**
- 15.12.010 Permit required**

It is unlawful for any person, firm, association or corporation to move any building or structure upon, over or along any public street, alley or public way within the city without first obtaining a permit from the City Recorder. (Ord. 4-1974 § 1)

#### **15.12.020 Application—Contents**

Application for permit to move any building or structure upon, over or along any public street, alley or public way within the city shall be made in writing to the office of the City Recorder upon form provided by said office. The application shall be signed by the owner of the building or structure to be moved and by the person, firm or corporation engaged to move the same and shall contain the following information:

A. Name and address of owner of building or structure;

B. Location of building before moving;

C. Proposed location where building is proposed to be moved, including a plot and so far as is necessary, a structural plan showing where upon the proposed plot the structure or building will be located and that it will conform to the building code, plumbing requirements, fire code and other restrictions or regulations governing structures in said proposed location;

D. The type, age, width, length and height of the building;

E. The use or purpose for which building will be put and that for which building was in the past used for;

F. Name and address of person, firm or corporation engaged to move the building;

G. The means or manner the building is to be moved and type of equipment to be used therefor;

H. Route over and along which the building is proposed to be moved;

I. The time required to move the building, including the day and hour every part of the building will be off every street, alley or public way;

J. Such other information as the City Recorder, city building inspector or city engineer may deem necessary.

Where the building or structure is to be moved outside the corporate limits of the city, the information required by subsections C and E of this section may be omitted. (Ord. 4-1974 § 2)

**15.12.030 Application—Attachments**

There shall be attached to every completed application as above provided, written statements from each person, firm or corporation operating any public utility maintaining any wires, conduits, cables, poles or other appliances or appurtenances thereto, along, over or across any street, alley or public way along the route over which the building or structure is to be moved by or for the applicant, stating that the moving of such building will not molest, damage or interfere with or interrupt the service thereof or that the applicant has made appropriate arrangements for clearing the same at the time the building is to be moved; in such instance as tracks laid in any street a similar statement from the operator of said railroad or his duly authorized agent shall be furnished. (Ord. 4-1974 § 3)

**15.12.040 Application—Statement of agreement not to damage property**

Any such application as above indicated shall also contain a statement of agreement to the effect that the applicant shall not damage any real or personal property upon, along or adjacent to any street, alley or public way while moving any building and that in case any damage is so caused, that the applicant will pay therefor. (Ord. 4-1974 § 4)

**15.12.050 Notification of nearby property owners—Public hearing when**

Upon receipt of application for moving a building or structure into a residential zone of the city, the City Recorder shall advise, in writing, property owners within two hundred (200) feet of the property upon which said structure or building is to be moved of said application, which notice shall be given the affected property owners within seven days of receipt of such application. If within ten days of notification to the affected property owners of such application by the City Recorder, the owners of at least twenty-five (25) percent of the affected property, which shall be deemed that lying within two hundred (200) feet of the applicant property, shall in writing, filed with the City Recorder, object to such moving or request the right to be heard concerning said application, public hearing shall be had thereon before the City Council at the next regularly scheduled Council meeting unless said meeting shall be scheduled within ten days of the expiration of said ten-day “protest or

hearing request,” in which case public hearing shall be held at the next following, regularly scheduled Council meeting; provided further, that the Council may, whenever it believes public interest warrants, call a public hearing upon said application whether the twenty-five (25) percent requirement be met or not. (Ord. 4-1974 § 5)

**15.12.060 Notification of public hearing—Decision of Council**

When public hearing shall be required or called as hereinabove provided, the City Recorder shall within five days of the expiration of said ten-day “protest or hearing demand period,” notify in writing, the affected property owners and post notice thereof in two public places in the property area affected and also post notice thereof at the City Hall, which notice shall state the purpose, time and place of said hearing. In all instances, the applicant requesting the moving permit shall be notified and his presence requested at said public hearing. That the purpose of said public hearing shall be to permit the City Council to obtain all pertinent information, facts and material relating to said application and the effect thereof upon the public interest of the “affected” area and the city as a whole. Following said public hearing, the City Council may, if in its discretion the granting of such application would be adverse to the best interests of the public and the city, deny such application. The City Council may also request various public officials, the applicant or others to furnish such additional information as it may feel necessary to reach an appropriate decision. In the event that said

application is denied, the City Recorder shall, within seven days of such denial, notify the applicant of such denial and the reasons therefor. (Ord. 4-1974 § 6)

**15.12.070 Permit fee**

Each application for moving a building or structure within the city as above indicated, shall be accompanied by a permit fee as follows:

A. For buildings or structures having less than one thousand (1,000) square feet in floor area, fifty dollars (\$50.00);

B. For buildings in floor area of one thousand (1,000) square feet or more, fifty dollars (\$50.00) plus five cents (\$.05) for each additional square foot in excess of one thousand (1,000).

The area of the several floors shall be counted; in case of story and a half buildings, only one-half of the second floor area shall be used in calculation of the permit fee. All fees collected shall be credited to the street repair fund. (Ord. 4-1974 § 7)

**15.12.080 Bond or insurance policy**

No permit shall be issued to move a building or structure as above indicated unless the mover shall furnish a bond or insurance policy, approved by the City, as follows:

The mover shall furnish a public liability insurance policy or certificate of insurance in the sum of not less than thirty thousand dollars (\$30,000.00) covering such truck with respect to injuries to or death of any person or persons and in a sum of not less than ten thousand dollars (\$10,000.00) covering such truck with respect to damage to the property of any person, including

damages to any street, bridge or other public property of the city or any other public corporation and the above limits shall be the minimum required for each truck or motor vehicle towing any building while moving over or upon any public street, alley or way; provided further, that such mover shall also furnish an insurance policy or bond in a sum not less than thirty thousand dollars (\$30,000.00) conditioned that the mover will pay any injuries to or for the death of any person or persons, or any other public property owned or maintained by the city or other public corporation on account or by reason of any of the operations of the mover while engaged in moving any building or structure, including injuries or damages occasioned by the falling or collapsing of, or the weight of, or collisions with any such building or structure while any part thereof is upon any part of a public street; provided that the City Council may require a greater or additional bond or insurance policy if in their just determination conditions so require. Evidence of the above requirement being met must be furnished the City Recorder upon his request and before issuance of permit. (Ord. 4-1974 § 8)

**15.12.090 Approval of permit by chief of police, building inspector and City Council**

A. No permit shall be issued until the application shall be approved by the chief of police, the building inspector, and in case of a structure other than wood frame or in excess of two thousand five hundred (2,500) square feet, the City Council.

B. The chief of police shall consider the probable effect of the proposed moving on the public safety and he shall approve the application for moving only where such moving will not jeopardize the public safety and the route proposed or finally adopted is the one least dangerous to the citizens of the city and the general public.

C. The building inspector shall inspect the building to be moved and if he finds that the building is of substantial construction and in condition that it may be moved without collapsing or falling apart and without endangering any person upon, along or adjacent to any public street, and further finds that the building is designed and adaptable for the purpose, use or occupancy to which it is proposed to be put the same at the new location and that it conforms to the requirements of the building code and fire zones of the new location, he shall approve the application. (Ord. 4-1974 §§ 9-11)

**15.12.100 City engineer—Approval of equipment and route**

Before permit is granted as herein provided, the city engineer or other responsible official shall determine that the mover has safe and sufficient equipment and facilities for moving, adequate barricades, lights, flags and personnel for warning the public both day and night and for the safe direction of traffic; that the streets and bridges along the route to be traversed by the moving are of sufficient width and strength and in condition to bear the moving of the building or structure described in the application and that said moving will not endanger any trees,

shrubs or improvements in, upon or adjacent to any street. (Ord. 4-1974 § 12)

**15.12.110 Moving to be continuous—Exceptions**

The removal of a building or buildings under a permit herein granted when commenced shall be continuous during all hours of the day and night unless exception be granted by the City Recorder and such exception shall apply only to that provision requiring said moving to continue during hours of darkness, until such building reaches its destination or is removed from any and all streets, alleys or public ways. Other exceptions must be granted only by the City Council. (Ord. 4-1974 § 13)

**15.12.120 Special requirements for hours of darkness**

In case any building is moved at night or left standing on a public street, alley or way during hours of darkness, the mover shall at all times provide such barricades, lights, flares and watchmen as may be necessary to safeguard the traffic and persons using said public street, alley or way. (Ord. 4-1974 § 14)

**15.12.130 Permit contents—Mode, route, expiration date, restrictions**

Each permit shall prescribe thereon the mode and route for such moving and the date upon which the permit will expire, together with such restrictions as the public interests may require, which

restrictions shall be sufficient to protect all sidewalks, street improvements and other public improvements and private property from injury or damage. (Ord. 4-1974 § 15)

**15.12.140 Building permit required**

A building permit shall be required for all buildings moved to a location within the city. The building permit required is in addition to, not in lieu of, the moving permit herein required. In addition to all requirements set forth in the city's building codes, the following requirements must also be met to the satisfaction of the building official or of the City Recorder before a building permit may be issued:

A. The building to be moved shall be located and used in a manner consistent with all zoning and land use ordinances of the city, together with any other applicable ordinances, laws or governmental regulations.

B. The buildings shall be similar to the other buildings in the immediate vicinity in size, age, architectural style and structural condition so as to be compatible with other buildings in the areas and so as not to cause property in the areas to decrease in value.

Denial of a building permit application for failure to comply with subsection A of this section may be appealed to the City Council by written notice filed within ten days following such denial. In any event, the City Recorder may refer the application to the City Council for a determination of compliance with subsection B of this section. (Ord. 4-1974 § 17)

**15.12.150 Failure to remove building—Separate violation**

Failure to remove said building or structure for which permit shall be herein granted from a public street, alley or way within the time specified in the permit shall be considered a separate violation of this chapter apart from any and all other violations which may occur hereunder. (Ord. 4-1974 § 16)

**15.12.160 Violation—Penalty**

Any person, firm, association or corporation violating any provision of this chapter commits a civil infraction subject to enforcement pursuant to Chapter 1.06 of the Code. (Ord. 4-2006 § 24; Ord. 4-1974 § 18)

## Chapter 15.16

### RECREATIONAL VEHICLES AND MANUFACTURED HOME PARKS

#### Sections:

- 15.16.010 Definitions.**
- 15.16.020 License.**
- 15.16.030 License fees.**
- 15.16.040 License application—  
How made.**
- 15.16.050 Supervision.**
- 15.16.060 Register.**
- 15.16.070 Parking of recreational  
vehicle outside RV park  
prohibited—Exception.**
- 15.16.080 Compliance with city,  
county and state  
regulations required.**
- 15.16.090 Violation—Penalty.**

#### **15.16.010 Definitions**

As used in this chapter:

“Manager” means the City Administrator or his/her designee.

“Manufactured home” means a structure constructed for movement on public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction. “Manufactured home” does not mean any building or structure constructed to conform to the State of Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.61 to 455.630 or any

unit identified as a recreational vehicle by the manufacturer.

“Manufactured home or RV space” means a plot of ground within a manufactured home or RV park designed for the accommodation of one living unit.

“Manufactured home park” also “recreational vehicle park” referred to as “park” herein, means any lot or parcel of land upon which one or more mobile homes, used for dwelling or sleeping purposes are located for generally more than a 30 day period, regardless of whether or not a charge is made for such accommodation.

“Person” means any natural individual, firm, co-partnership, association or corporation.

“Recreational vehicle” referred to as “RV” herein, means a vehicle with or without motive power, which is designed for human occupancy and to be used temporarily for recreational, seasonal or emergency purposes. (Ord. 11-2003; Ord. 4-1959 § 1)

#### **15.16.020 License**

It is unlawful for any person to maintain or operate within the limits of the city any manufactured home or RV park unless such person shall first obtain a license therefore. (Ord. 11-2003; Ord. 4-1959 § 2)

#### **15.16.030 License fees**

The annual license fee for each park shall be the amount set by resolution of the City Council. No license shall be issued for a period of less than one year and the license year shall be considered from January 1<sup>st</sup> through December 31<sup>st</sup>. Should application be first made and

license issued during the period of October 1<sup>st</sup> to December 31<sup>st</sup> a charge of one-fourth of the annual fee shall be made and should license be issued during the period of July 1<sup>st</sup> to September 30<sup>th</sup>, one-half the annual fee shall be charged, and if issued during the period of April 1st to June 30th three-fourths the annual fee shall be charged. All licenses shall expire on December 1<sup>st</sup> of each year, and application for renewal must be made and the license fee paid on or before the fifteenth day of January or otherwise a violation of this chapter will be considered to exist. (Ord. 11-2003; Ord. 4-1959 § 3)

#### **15.16.040 License application— How made**

Application for a park license shall be made to the City and be accompanied by the annual license fee. The application shall contain the following information:

- A. Name and address of applicant;
- B. The location and legal description of the proposed or existing park;
- C. The number of manufactured home or RV spaces to be provided in said park;
- D. A complete plan of the park known as a plot plan showing the following (two copies):
  1. Boundaries of the park site,
  2. Location of each space sewer connection and electrical outlet,
  3. Each drinking water supply outlet (except those in buildings),
  4. Each lighting fixture for lighting the park, spaces and grounds,
  5. Driveways, and how connected with outside highways, streets or alleys, also indicating type of road surface,

6. Water system,
7. Sewage system,
8. Complete floor plan of each building located within or serving the park, drawn to scale, showing type of construction, type and location of wiring, sanitary, water and other utilities located therein,
9. Arrangements made for fire protection, recreation,
10. Sufficient information to indicate compliance with all other requirements of this chapter and the State Board of Health.

The above requirements shall not apply to any person holding a license under the terms of this chapter for a park seeking a renewal thereof unless said park is not in operation for a period of three months or more or unless enlargement or improvements are contemplated. (Ord. 11-2003; Ord. 4-1959 § 4)

#### **15.16.050 Supervision**

A responsible attendant, owner or operator shall be in charge at all times to keep the park, its facilities and equipment in a clean, orderly and sanitary condition and any failure on the part of the management and/or licensee to comply with any provision of this chapter shall be sufficient grounds for revocation or suspension of license by the manager. (Ord. 11-2003; Ord. 4-1959 § 9)

#### **15.16.060 Register**

It shall be the duty of the licensee to keep a register containing a record of all manufactured home or RV owners and occupants located within the park, containing the following information:

A. Name and address of each occupant;

B. Make, model and year of all automobiles and homes or RV's;

C. License number and owner of each manufactured home or RV;

D. The state issuing such license;

E. The date of arrival and departure of each home or RV;

Said register shall be kept available for inspection at all times by law enforcement officers, public health officials and city employees and agents whose duties necessitate acquisition of the information contained in the register. Register records shall not be destroyed for a period of three years following the date of registration, or as long as a registrant remains in the park. (Ord. 11-2003; Ord. 4-1959 § 10)

**15.16.070 Parking of recreational vehicle outside RV park prohibited—Exception**

It is unlawful to park or place any RV in use for sleeping or living purposes within the city for any period of time exceeding eight hours, except in an RV park, and no cooking shall be done in an RV outside an RV park, provided however, that an RV used for sleeping or living purposes may be parked in the city, outside of a park for a period of time not to exceed ten days, after an owner or applicant thereof has secured from the City a permit fee for the sum set by resolution of the City Council. This permit shall be issued only if the applicant shall show to the City that the proposed parking and use of the RV will comply with the rules and regulations of the Oregon State Board of Health pertaining to tourist camps with respect

to access, water supply, garbage disposal and sanitation.

This permit shall be temporary only and when once issued for a particular RV, cannot be renewed; nor can another temporary permit be issued for said RV within the same calendar year.

It is understood that the parking of RV's in the city under the terms of this section, or otherwise whether used for sleeping purposes or living purposes or not are not to be parked on the city streets for longer than said eight hours and not then if for some other reason or by some other ordinance of the city and whatever pertinent provisions therein might apply as concerns vehicular parking on city streets or alleys. (Ord. 11-2003; Ord. 4-1959 § 21)

**15.16.080 Compliance with city, county and state regulations required**

Every court, park, court or park owner, attendant, manager, owner, operator and every person residing in a manufactured home or RV park shall comply with each and every rule and regulation of the Oregon State Board of Health, the City of Wood Village, the Multnomah County health department as now existing or hereafter amended and applicable to any or all of such persons. Every owner, manager or person in control of said park shall see that every person above named complies with said rules and regulations. (Ord. 11-2003; Ord. 4-1959 § 22)

**15.16.090 Violation—Penalty**

Any person, firm, association, partnership or corporation who shall violate or fail to comply with any of the

applicable provisions of this chapter commits a civil infraction subject to enforcement pursuant to Chapter 1.06 of the Code. (Ord. 4-2006 § 25; Ord. 11-2003)

## Chapter 15.20

### FLOOD HAZARD PROTECTION REGULATIONS

#### Sections:

- 15.20.010 Statement of purpose.**
- 15.20.020 Definitions.**
- 15.20.030 Determination of areas of special flood hazard and application.**
- 15.20.040 Designation of program administrator.**
- 15.20.050 Duties and responsibilities of the program administrator.**
- 15.20.060 Development permit, application procedure and establishment.**
- 15.20.070 General standards.**
- 15.20.080 Specific standards.**
- 15.20.090 Penalties for noncompliance.**

#### **15.20.010 Statement of purpose**

It is the purpose of this chapter 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:

- A. To protect human life and health;
- B. To minimize expenditure of public money for costly flood control projects;
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. To minimize prolonged business interruptions;
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer

lines, and streets and bridges located in areas of special flood hazard;

F. To help maintain a stable tax base by providing for appropriate use and development of areas of special flood hazard so as to minimize future flood blight areas;

G. To encourage proper notification to concerned parties of the flood hazards relating to property in said areas;

H. To place appropriate responsibility upon the owners and occupants of properties located in special flood hazard areas for adherence to standards established for the preservation of life and property therein. (Ord. 1-1981 § 4)

#### **15.20.020 Definitions**

As used in this chapter:

“Area of special flood hazard” means the land in the floodplain within the city of Wood Village subject to a one percent or greater chance of flooding in any given year.

“Base flood” means the flood having a one percent chance of being equaled 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, paving, excavation or drilling operations located within the area of special flood hazard.

“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; and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

“Flood Hazard Boundary Map (FHBM)” means the official map issued by the Federal Insurance Administration where the areas of special flood hazard have been designated Zone A.

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a habitable floor.

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

“Structure” means a walled and roofed building, a mobile home, or a gas or liquid storage tank, that is principally above ground.

“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. (This term does not, however, include any project 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 any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.) (Ord. 1-1981 § 5)

**15.20.030 Determination of areas of special flood hazard and application**

A. The provisions of this chapter shall apply to all areas designated as areas of special flood hazard by the Federal Insurance Administration on its current Flood Hazard Boundary Map (FHBM), applicable to and including all areas within the boundaries of the city.

B. The current Federal Insurance Administration (FHBM) No. 410185, dated October 31, 1975, marked Exhibit “A” and attached to the ordinance codified in this chapter and on file in the City Recorder's office, is by this reference made a part hereof as if fully set forth herein at this point.

C. In recognition of the fact that the Federal Insurance Administration may from time to time revise the FHBM applicable to the city or that additional map or maps may be required for identification of flood hazard areas due to annexations or other land acquisitions by the city, the City Council shall have authority upon receipt of due notice by appropriate agency of the United States Government, to substitute, add and/or subtract appropriate FHBM maps by appropriate resolution, making the same applicable hereto.

D. In those concerned areas where base flood elevations are not shown on the FHBM, the administrator herein set forth, shall make reasonable effort to obtain, review and utilize other base flood elevation data that may be available and pertinent from the federal, state or other source, in order to provide the optimum degree of implementation of this chapter, and especially the specific standards hereinafter set forth in Section 15.20.080. (Ord. 1-1981 § 6)

**15.20.040 Designation of program administrator**

The program administrator (PA) shall be designated by the City Council to administer and implement the provisions of this chapter. Such program administrator shall be the chief building inspector, city engineer or public works superintendent. (Ord. 1-1981 § 7)

**15.20.050 Duties and responsibilities of the program administrator**

A. The program administrator shall administer, implement and enforce the rules and regulations, intent and purposes of this chapter, which shall include the preparation and approval of appropriate forms and applications, and information and materials necessary to carry out the same.

B. The PA or his duly designated assistant shall review and consider, and in appropriate instances, approve all applications for development permit as herein provided.

C. The PA shall review all development permit applications to determine that the requirements and provisions of this chapter have been duly satisfied. Such review shall include, but not be limited to, the following:

1. Determine that all necessary permits have been obtained from those federal, state or local government agencies from which prior approval is required;

2. Determine if the proposed development adversely affects the flood carrying capacity of the area of special flood hazard. (For the purposes of this chapter, “adversely affects” means damage to adjacent properties because of rises in flood stages attributed to

physical changes of the channel and the adjacent overbank areas).

a. If by such review, the PA shall determine that there is no adverse affect or no adverse affect of consequence as addressed by this chapter, then a development permit may be granted consistent with the provisions of this chapter.

b. If the PA determines that there is an adverse affect, of a material nature, then flood damage mitigation measures shall be made a condition of the permit.

D. The PA shall obtain and maintain as a requirement of this chapter, the following information:

1. Obtain and record the actual 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 the structures contain a basement;

2. For all new or substantially improved flood-proofed structures (a) obtain and record the actual elevation (in relation to mean sea level) to which the structure has been flood-proofed, (b) maintain the flood-proofing certifications required in Section 15.20.060(B)(2);

3. Maintain for public inspection all the records pertaining to the provisions of this chapter.

E. The PA shall notify adjacent communities (and the state coordinating agency, if any) prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

F. The PA shall require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

G. The PA shall, where needed, make interpretations 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 map, boundary and actual field conditions). (Ord. 1-1981 § 8)

**15.20.060 Development permit, application procedure and establishment**

A. A development permit shall be obtained before construction or development begins within any area of special flood hazard as established in Section 15.20.030.

B. Application for a development permit shall be made on forms furnished by the program administrator as herein designated, and may include, but not be limited to, the following information:

1. Plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facility; and the location of the foregoing;

2. The following specific information is required of applicant for a development permit: (a) elevation in relation to mean sea level of the lowest floor (including basement) of all structures, (b) elevation in relation to mean sea level to which any structure has been flood-proofed, (c) certification by a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure meet the flood-proofing criteria set forth in Section 15.20.070(B)(2);

3. Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development. (Ord. 1-1981 § 9)

**15.20.070 General standards**

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

**A. Anchoring.**

1. All new construction and substantial improvements shall be anchored to prevent floatation, collapse, or lateral movement of the structure.

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

a. Over the top ties be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, with mobile homes less than fifty (50) feet long requiring one additional tie per side;

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

c. All components of the anchoring system be capable of carrying a force of four thousand eight hundred (4,800) pounds; and

d. Any additions to the mobile home be similarly anchored.

**B. Construction Materials and Methods.**

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

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

**C. Utilities.**

1. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;

2. New and replacement sanitary sewer systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters; and

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

**D. Subdivision Proposals.**

1. All subdivision proposals shall be consistent with the need to minimize flood damage;

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

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and

4. Base flood elevation data shall be provided for subdivision proposals and other proposed development which contain at least fifty (50) lots or five acres, whichever is less.

**E. Encroachments.** Any proposed development shall be analyzed to determine the effects on the flood carrying capacity of the area of special flood hazard as set forth under permit review, Section 15.20.050. (Ord. 1-1981 § 10)

**15.20.080 Specific standards**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section

15.20.030D, use of other base flood data, the following standards are required:

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

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

1. Be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; and

2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

3. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certification shall be provided the program administrator as herein defined. (Ord. 1-1981 § 11)

**15.20.090 Penalties for noncompliance**

The following penalties are established for violation of the various provisions of this chapter and amendments thereto:

A. No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this chapter and other applicable regulations

of the City. Violation of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) is a civil infraction subject to enforcement pursuant to Chapter 1.06 of the Code. (Ord. 4-2006 § 26)

B. In the event any building or structure is, or is proposed to be erected, constructed, altered, maintained or used, or any land is, or is proposed to be used in violation of any provision of this chapter, the proper city officials or their duly authorized representatives or any person whose interest in real property in the city is or may be affected by the violation, may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate proceeding to prevent temporarily or permanently enjoin, abate or remove such unlawful erection, construction, reconstruction, alteration, maintenance or use.

C. In accordance with the building code of the City and the subdivision ordinance of the City, the building official of the city shall, in addition to the remedies hereinabove set forth, have available to him such remedies as provided in said ordinances which shall include stop work orders. (Ord. 1-1981 § 13)