

RESOLUTION NUMBER 89-8

A RESOLUTION AMENDING ORDINANCE 26-1301 RELATING TO FLOOD PLAIN MANAGEMENT BY AMENDING PROVISIONS REQUIRED BY A FINAL RULE, PUBLISHED AUGUST 25, 1986, PROMULGATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) REVISING THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP).

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LUSK.

SECTION ONE; Ordinance 26-1301 is amended by replacing the terms "Mobile Home", "Federal Insurance Administration", and "Habitable Floor" wherever said terms may appear in the Ordinance as presently constituted, by the term "Manufactured Home", "Federal Emergency Management Agency", and "Lowest Floor", respectively.

SECTION TWO: Ordinance 26-1301 is amended by including Lowest Floor to read:

LOWEST FLOOR means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

SECTION THREE: Ordinance 26-1301 defining the term "Mobile Home" is hereby repealed and reenacted to read:

MANUFACTURED HOME means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For flood plain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 days. For insurance purposes the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

SECTION FOUR: Ordinance 26-1301, Section 4.0, Paragraph 4.3-2 is amended to read:

When base flood elevation data has not been provided in accordance with Section 4.0, the Building Inspector shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring that new construction, substantial improvements, or other development in Zone A meets Section 4.0, Paragraph 4.3-2 thru 4.3-5.

SECTION FIVE: Ordinance 26-1301, Section 5.0, Paragraph 5.1 is repealed and re-enacted to read:

5.1-1 Anchoring

- (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.
- (3) Electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

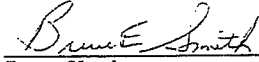
SECTIONS SIX: Ordinance 26-1301, Section 5.0, Paragraph 5.1-5 is amended to read:

Encroachments, including fill, new construction, substantial improvements, and other development shall be prohibited in any floodway unless a technical evaluation demonstrates that the encroachments will not result in any increase in flood levels during the occurrence of the base flood discharge.

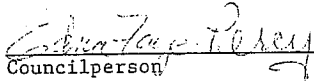
THIS RESOLUTION passed and approved this 5th day of June, 1989.

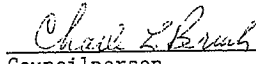

Mayor

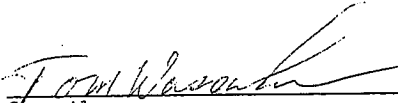
ATTEST:



Town Clerk

APPROVED BY TOWN COUNCIL:


Councilperson


Councilperson


Councilperson


Councilperson