

CHAPTER 14

FLOOD PLAIN CODE

14-1-1 **PURPOSE.** The purpose of this Article is to avoid the hazards to persons and damage to property resulting from flooding and to comply with the Rules and Regulations of the National Flood Insurance Program as promulgated by the United States Department of Housing and Urban Development, Federal Insurance Administration as provided in the Rules and Regulations of the Federal Register, Volume 41, No. 207, Tuesday, October 26, 1976, as amended, and which are hereby adopted by reference, and filed in the office of the Village Clerk, pursuant to Illinois Law and **Illinois Compiled Statutes, Chapter 65, Section 5/11-30-2.**

14-1-2 **CONFLICTING LAWS REPEALED.** All ordinances and resolutions in conflict with this Article are hereby repealed, amended and replaced. The provisions of this Article shall be deemed as additional requirements to minimum standards required by other ordinances of the Village. In case of conflicting requirements, the most restrictive shall apply.

14-1-3 **DEFINITIONS.** For the purpose of this Article, the following definitions are adopted:

"Development" means any man-made change to improved or unimproved real estate, including, but not limited to construction of or substantial improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters, or the unusual and rapid accumulation of runoff of surface waters from any source.

"Base Flood" means the flood having a **one percent (1%)** chance of being equaled or exceeded in any given year. The base flood is also known as the **one hundred (100) year** Flood.

"Base Flood Elevation" means the elevation in relation to Mean Sea Level of the crest of the base flood.

"Structure" means a walled and roofed building including a gas or liquid storage tank that is principally above ground, as well as a mobile home and a pre-fabricated building.

"Mobile Home" means a structure transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. For the purpose of this Code, it does not include recreational vehicles or travel-trailers.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds **fifty percent (50%)** 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.

The term does not, however, include either: (1) 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 (2) any alteration of a structure or site documented as deserving preservation by the Illinois Department of Conservation or listed on the National Register of Historic Places.

14-1-4 **FLOOD HAZARD BOUNDARY MAP.** The Flood Hazard Map No. H-01-02 dated March 22, 1974 and amendments thereto, delineating "A" Zones as areas that are susceptible to the base flood as prepared by the United States Department of Housing and Urban Development, Federal Insurance Administration, is hereby adopted for the purpose of this Article and filed as a record in the office of the Village Clerk.

14-1-5 **PERMIT REQUIRED.** No person, firm or corporation shall commence any construction, substantial improvement, subdivision of land, placement of mobile homes or other development in areas located in an "A" Zone without first obtaining a permit from the Mayor. The Mayor shall not issue such permit for any construction, substantial improvement, or other development that does not comply with the provisions of this Article, or that has been denied a permit required by the Federal or State law including Section 404 of the Federal Water Pollution Control Act, 1972, 33 U.S.C. 1334.

14-1-6 **APPLICATION.**

(A) Within areas designated as "A" zones, each application for development shall be accompanied by elevations, in relation to Mean Sea Level, of the lowest habitable floor, including basement, and in the case of flood-proofed structures, the elevation to which it will be flood-proofed.

(B) The Mayor shall require certification from a registered professional engineer or architect that flood-proofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the base flood.

(C) The application shall also contain information or certification as reasonably may be required by the Mayor in order to determine eligibility for permits or to enforce the terms of this Article.

14-1-7 **BASE FLOOD ELEVATION.** The Village Board shall obtain, review, and reasonably utilize Base Flood Elevation data available from Federal, State, or other sources until such time as such data has been received from the Federal Insurance Administration. Base Flood data received from the Federal Insurance Administration shall take precedence over data from other sources.

14-1-8 **NEW CONSTRUCTION AND SUBSTANTIAL IMPROVEMENT STANDARDS.** All new construction and substantial improvements to structures located in an "A" Zone shall:

(A) For residential structures, have the lowest floor, including basement, elevated to **one (1) foot** above the Base Flood Elevation.

(B) For non-residential structures, have the lowest floor, including basement, elevated or flood-proofed to **one (1) foot** above the Base Flood Elevation.

(C) Be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure.

(D) Be constructed with materials and utility equipment resistant to flood damage.

(E) Be constructed by methods and practices that minimize flood damage to other properties.

(F) Have all structural components below the Base Flood Elevation designed to be water-tight with walls substantially impermeable to the passage of water and such structural components shall be designed to resist hydrostatic and hydrodynamic loads and the effects of buoyancy.

(G) For structures mandated to have emergency escape and rescue windows, the top wall of the egress well shall be located not less than **eight (8) inches** above the applicable minimum sill elevation. All required emergency escape and rescue windows shall meet the minimum standards for construction of areaways and window wells as noted on **Exhibit "A"** to this Chapter and so otherwise required by local, state or federal law. **(Ord. No. 16-02; 02-09-16)**

14-1-9 **MOBILE HOME STANDARDS.**

(A) All mobile home parks and mobile home subdivisions located in a "A" Zone shall file evacuation plans indicating vehicular access and escape routes, including mobile home hauler routes, with the appropriate disaster preparedness authorities.

(B) All mobile homes to be placed on a site located in an "A" Zone shall:

- (1) Have the lowest floor elevated **one (1) foot** above the Base Flood Elevation.
- (2) In the instance of elevation on pilings, have all piling foundations placed in stable soil no more than **ten (10) feet** apart, and reinforcement shall be provided for piers more than **six (6) feet** above ground.
- (3) Have lots large enough to permit steps to the mobile home, and have adequate surface drainage on all sides of the structure.
- (4) Be anchored according to the following specifications:
 - (a) Over-the-top ties shall be provided at each of the **four (4) corners** of the mobile home, with **two (2)** additional ties per side at intermediate locations and mobile homes less than **fifty (50) feet** long shall require **one (1)** additional tie per side;
 - (b) Frame ties shall be provided at each corner of the mobile home with **five (5)** additional ties per side at intermediate points and mobile homes less than **fifty (50) feet** long shall require **four (4)** additional ties per side.
 - (c) All components of the anchoring system shall be capable of carrying **four thousand eight hundred (4,800) pounds**; and
 - (d) Any additions to the mobile home shall be similarly anchored.

14-1-10 **UTILITY STANDARDS.** All new construction and substantial improvements to utilities located in an "A" Zone shall provide that:

(A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.

(B) All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters.

(C) All new and replacement on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

14-1-11 **SUBDIVISION AND OTHER DEVELOPMENT STANDARDS.** All subdivisions and other development located in an "A" Zone shall provide that:

(A) All subdivision and other development proposals shall be designed to minimize flood damage to the proposed subdivision or development site as well as to other properties.

(B) All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located, elevated, and constructed to minimize or eliminate flood damage.

(C) Adequate drainage shall be provided so as to reduce exposure to flood hazards.

(D) For any proposed subdivision or new development greater than **fifty (50) lots** or **five (5) acres**, whichever is the lesser, the applicant shall show the Base Flood Elevation data for each lot or platted parcel. Provided that if the Base Flood Elevation data is not available, the applicant shall compute and provide this information for each lot or platted parcel greater than **fifty (50) lots** or **five (5) acres**, whichever is less.

14-1-12 **WATERCOURSE STANDARDS.** The Mayor shall notify adjacent communities and the Illinois Department of Transportation, Division of Water Resources and the Federal Insurance Administration prior to any alteration or relocation of a watercourse. The flood carrying capacity within the altered or relocated portion of any watercourse shall be maintained.

14-1-13 **REPORTS AND RECORDS.**

(A) The Mayor shall provide the Village Board, the Illinois Department of Transportation, Division of Water Resources, and the Federal Insurance Administration with an annual report on forms as provided the Village by the Federal Insurance Administration.

(B) The Mayor shall maintain the records of first-floor evaluations, flood-proofing certifications, all variance documents required by Section 1910.6(a), (5) and (6) of the Rules and Regulations of the National Flood Insurance Program, permit applications, and all other records required by the Federal Insurance Administration.

14-1-14 **VARIANCES.** Upon application and after **fifteen (15) days** notice of a public hearing, the Village Board may grant a variance of this Article, subject to compliance with the provisions of Section 1910.6(a) of the Rules and Regulations of the National Flood Insurance Program and such other conditions as the Village Board deems necessary to comply with the intent of this Article.

14-1-15 **DISCLAIMER OF LIABILITY.** The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes. This Article does not imply that development either inside or outside of areas designated as an "A" Zone will be free from flooding or damage. This Article does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this Article or any administrative decision made lawfully thereunder.