ORDINANCE NO. 175

Be it ordained by the Governing Body of the City of Basehor.

Section 1 - The City Inspector hereby has these added responsibilities and is authorized and directed to enforce all the provisions of this Ordinance and all other Ordinances of the City of Basehor now in force or hereafter adopted, relating to zoning, sub-division or building codes.

Section 2 - The City Inspector shall be appointed to these additional responsibilities by resolution of the Governing Body and his/her appointment shall continue during good behavior and satisfactory service. During temporary absence of disability of the City Inspector, the Governing Body of the City shall designate an acting enforcement official.

Section 3 - The Governing Body of the City of Basehor hereby designated the current Flood Hazard Boundary Map/Floor Insurance Rate Map, and amendments, as the official map to be used in determining those areas of special flood hazard.

Section 4 - Permits Required: No person, firm or corporation shall erect, construct, enlarge or improve any building or structure in the City or cause the same to be done without first obtaining a separate development permit for each building or structure.

a. Within Zone(s) A on the official map, separate development permits are required for all new construction, substantial improvements and other developments, including the placement of mobile homes.

b. Application: To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.

2. Describe the land on which the proposed work is to be done by lot, block, tract and house and street address, or similar description that will readily identify and definitely locate the proposed building or work.

3. Indicate the use or occupancy for which the proposed work is intended.

4. Be accompanied by plans and specifications for proposed construction.

5. Be signed by the permittee or his authorized agent who may be required to submit evidence to indicate such authority.

6. Within designated flood prone areas, be accompanied by elevations (in relation to mean seal level) of the lowest floor (including

basement or in the case of floodproofed non-residential structures, the elevation to which it has been floodproofed). Documentation or certification of such elevations will be maintained by the City Inspector.

7. Give such other information as reasonably may be required by the City Inspector.

Section 5 - The City Inspector shall review all development permit applications to determine if the site of the proposed development is reasonably safe from flooding and that all necessary permits have been received as required by Federal or State Law.

Section 6 - The City Inspector, in reviewing all applications for new construction, substantial improvements, prefabricated buildings, placement of mobile homes and other development(s) (as defined in Section II of this Ordinance) will:

a. Obtain review and reasonably utilize, if available any regulatory flood elevation data from Federal, State or other sources, until such other data is provided by the Federal Insurance Administration in a Flood Insurance Study; and require within areas designated as Zone A on the official map that the following performance standards be met:

(1) Residential Construction - New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.

(2) Non-residential Construction - New construction or substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to the level of the base flood elevation or, together with attendant utility and sanitary facilities, be flood proofed so that below such a level the structure is water tight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the local enforcement official.

b. Require the use of construction materials and utility equipment that are resistant to flood damage.

c. Require the use of construction methods and practices that will minimize flood damage.

d. Be designed or anchored to prevent the flotation, collapse or lateral movement of the structure or portions of the structure due to flooding.

e. Assure that in regard to mobile homes, specific anchoring requirements are:

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

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

(3) All components of the anchoring system be capable of carrying a force of 4800 pounds.

(4) Any additions to mobile homes be similarly anchored.

Section 7 - The Governing Body of the city shall review all subdivision applications and shall make findings of fact and assure that:

a. All such proposed developments are consistent with the need to minimize flood damage.

b. Subdivision proposals and other proposed new development greater than five (5) acres or fifty (50) lots, whichever is lesser, include within such proposals regulatory flood elevation data in areas designated Zone A.

c. Adequate drainage is provided so as to reduce exposure to flood hazards.

d. All public utilities and facilities are located so as to minimize or eliminate flood damage.

Section 8 - New Water and Sewer, etc. - New and replacement water and sewer systems shall be constructed to eliminate or minimize infiltration by, or discharge into floodwaters. Moreover, on-site waste disposal systems will be designed to avoid impairment or contamination during flooding.

Section 9 - The Governing Body of the City will insure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained. The City will notify, in riverine situations, adjacent communities and the State Coordinating Office prior to any alteration or relation of a watercourse, and submit copies of such notifications to the Federal Emergency Management Agency. Moreover, the city will work with appropriate State and Federal agencies in every way possible in complying with the National Flood Insurance Program in accordance with the National Flood Disaster Protection Act of 1973.

Section 10 - This Ordinance shall take precedence over conflicting Ordinances or parts of Ordinances or prior resolutions. The Governing Body of the City of Basehor may, from time to time, amend this Ordinance to reflect any and all changes in the National Flood Disaster Protection Act of 1973. The regulations of this Ordinance are in compliance with the National Flood Insurance Program Regulation as published in the Federal Register, Volume 41, Number 207, dated October 26, 1976, redesignated at 44 FR 31177, May 31, 1979.

Section 11 - Definition: Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

AREAS OF SPECIAL FLOOD HAZARD	-	The land within a community subject to a one percent or greater chance of flooding in any given year. This land is identified as Zone A on the official map.
DEVELOPMENT	-	Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.
FLOOD	-	A temporary rise in stream's flow or stage that results in water overflowing its banks and inudating areas adjacent to the channel or an unusual and rapid accumulation of runoff or surface waters from any source.
FLOODPROOFING	-	Any combination and nonstructural additions, changes, or adjustments to structures,including utility and sanitary facilities, which would preclude the entry of water. Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.
MOBILE HOME	-	A structure, transportable in one or more sections which is built on a permanent chassis and designated to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers.

MOBILE HOME PARK (SUBDIVISION)	-	"Mobile Home Subdivision" means a parcel (or contiguous parcels) of land which has been divided into two or more lots for rent or sale and the placement of mobile homes.
REGULATORY FLOOD ELEVATION	-	The water surface elevation of the 100-year flood.
STRUCTURE	-	A walled and roofed structure, including a gas or liquid storage tank that is principally above the ground, including but without limitation to buildings, factories, sheds, cabins, mobile homes and other similar uses.
SUBSTANTIAL IMPROVEMENT	-	"Substantial improvements mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either (a) before the improvement is started, or (b) if the structure has been damaged and is being restored before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any alteration to comply with existing State or local health, sanitary, building or safety codes or regulations as well

		as structures listed in National or State Registers of historic places.
100- YEAR FLOOD	-	The condition of flooding having a one percent chance of annual occurrence

Passed by the Governing Body of the City of Basehor, Kansas this 6th day of March, 1984.

Approved by the Mayor of the City of Basehor, Kansas this 6th day of March, 1984.

Forrest L. Tuter
FORREST TUTER, Mayor

ATTEST:

Susan E. Guy
SUSAN GUY, City Clerk