

ORDINANCE NO. 570

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY  
OF JEFFERSON, IOWA, 2008, BY AMENDING FLOODPLAIN  
REGULATIONS UNDER CHAPTER 160 TO REMAIN COMPLIANT WITH  
REGULATIONS OF THE NATIONAL FLOOD INSURANCE PROGRAM

Be it enacted by the City Council of Jefferson, Iowa:

SECTION 1. Section Amended. Section 160.02 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is amended by adding the following two new subsections:

30. “Minor projects” means small development activities (except for filling, grading and excavating) valued at less than \$500.

31. “Routine maintenance of existing buildings and facilities” means repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes; and
- E. Repairing plumbing systems, electrical systems, heating or air conditioning systems, and repairing wells or septic systems.

SECTION 2. Section Amended. Section 160.02 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is further amended by repealing subsection 3 thereof and substituting the following in its place:

3. “Development” means any manmade 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. “Development” does not include minor projects or routine maintenance of existing buildings and facilities as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

SECTION 3. Section Amended. Section 160.03 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is repealed and the following is adopted in lieu thereof:

**160.03 LANDS TO WHICH CHAPTER APPLIES.** The provision of this chapter shall apply to all lands within the jurisdiction of the City which are located within the boundaries of the Floodplain (Overlay) District. The areas within the jurisdiction of the City having special flood hazards are hereby designated as a Floodplain (Overlay) District and shall be subject to the standards of the Floodplain (Overlay) District (as well as those for the underlying zoning district). The Floodplain (Overlay) District boundaries are shown on the Flood Insurance Rate Maps (FIRM) for Greene County and Incorporated Areas, City of Jefferson, Panels 19073C0195C, 0215C, 0325C, 0350C, dated April 19, 2016.

SECTION 4. Section Amended. Section 160.09 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is amended by repealing the opening paragraph of such section and adopting the following in lieu thereof:

**160.09 FLOOD PLAIN (OVERLAY) DISTRICT STANDARDS.** All uses must be consistent with the need to minimize flood damage and shall meet the following applicable performance standards. Where 100-year flood elevations and floodway data have not been provided on the Flood Insurance Rate Maps, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

SECTION 5. Section Amended. Section 160.09 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is further amended by repealing subsection 11 thereof and adopting the following in lieu thereof:

11. Accessory Structures to Residential Uses.
  - A. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.
    - (1) The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
    - (2) The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.

(3) The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.

(4) The structure shall be firmly anchored to resist flotation, collapse and lateral movement.

(5) The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.

(6) The structure's walls shall include openings that satisfy the provisions of subsection 4 of this section.

B. Exemption from the 100-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

SECTION 6. Section Amended. Section 160.09 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is further amended by repealing subsection 3 thereof and adopting the following in lieu thereof:

3. Nonresidential Buildings. All new or substantially improved nonresidential buildings shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the 100-year flood level, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood; and that the structure, below the 100-year flood level, is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum) to which any structures are floodproofed shall be maintained by the Administrator.

SECTION 7. Section Amended. Section 160.10 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is amended by repealing subsections 3 and 4 thereof and adopting the following in lieu thereof:

3. Record and maintain a record of the elevation (in relation to North American Vertical Datum) of the lowest floor (including basement) of all new or substantially improved structures in the Flood Plain (Overlay) District.

4. Record and maintain a record of the elevation (in relation to North American Vertical Datum) to which all new or substantially improved structures have been floodproofed.

SECTION 8. Section Amended. Section 160.12 of the Code of Ordinances of the City of Jefferson, Iowa, 2008, is amended by repealing subsection 5 thereof and adopting the following in lieu thereof:

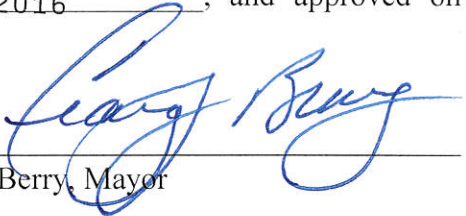
5. Floor Elevation. Elevation (in relation to North American Vertical Datum) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.

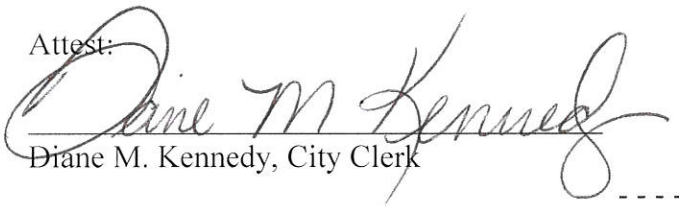
SECTION 9. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed

SECTION 10. Severability. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

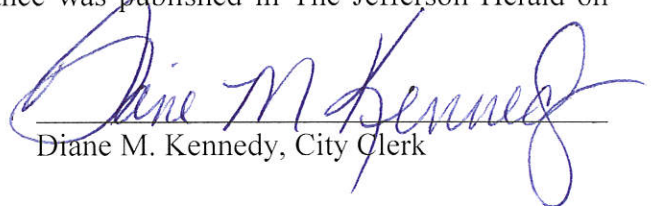
SECTION 11. When effective. Subject to its final passage, approval and publication as provided by law, this ordinance shall be in effect on April 19, 2016.

Finally passed by the Council on March 8, 2016, and approved on March 8, 2016.

  
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Craig J. Berry, Mayor

Attest:  
  
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Diane M. Kennedy, City Clerk

I hereby certify that the foregoing ordinance was published in The Jefferson Herald on 3/17/16.

  
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Diane M. Kennedy, City Clerk