



Legislation Text

File #: ORD-10:098, **Version:** 1

AN ORDINANCE AMENDING THE STORMWATER MANAGEMENT REGULATIONS TO INCLUDE ADDITIONAL DEFINITIONS

WHEREAS, the City Council adopted specific Stormwater Regulations on December 18, 2008 (ORD-08:099) which are now codified in Chapter 112 of the Jonesboro Municipal Code;

WHEREAS, Section 112-1 of the Jonesboro Municipal Code needs to be revised to include certain additional definitions for clarity;

WHEREAS, the Stormwater Management Board recommends these amendments to the Jonesboro Municipal Code.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JONESBORO, ARKANSAS THAT:

SECTION 1. That the following definitions be added to Section 112-1 of the Jonesboro Municipal Code.

Base Flood Elevation (BFE) means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-A30, AR, AR/A, AR/AE, AR/A1-A30, AR/AH, AR/AO, V1-V30, and VE that indicates the water surface elevation resulting from a flood that has a one percent chance of equaling or exceeding that level in any given year.

Flood Insurance Rate Map (FIRM)--Official map of a community on which FEMA has delineated both the special hazard areas and the risk premium zones applicable to the community.

Floodproofing means any combination of structural and nonstructural additions, changes, or adjustments to structures, which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitation facilities, or structures with their contents.

Historic Structure means any building that is:

- (1) Listed individually in the National Register of Historic places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; or
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- (3) Individually listed in a state inventory of historic places in states with preservation programs that have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - (a) By an approved state program as determined by the Secretary of the Interior; or
 - (b) Directly by the Secretary of the Interior in states without approved programs.

Manufactured (Mobile) Home means a structure built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation. "Manufactured (mobile) home" does not include recreational vehicles.

Manufactured (Mobile) Home Park or Subdivision, Existing means a manufactured (mobile) home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured (mobile)

homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or before December 31, 1974, or before the effective date of the community's initial FIRM, whichever is later.

Manufactured (Mobile) Home Park or Subdivision, Expansion to Existing Site means the preparation of additional sites by the construction of facilities for servicing the lots on which manufactured (mobile) homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Manufactured (Mobile) Home Park or Subdivision, New means a manufactured (mobile) home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured (mobile) homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed after December 31, 1974, or on or after the effective date of the community's initial FIRM, whichever is later.

New Construction means buildings for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, including any subsequent improvements.

Start of Construction means for other than new construction or substantial improvements, under the Coastal Barrier Resources Act, this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Recreational vehicles means a vehicle which is:

- (1) built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) designed to be self-propelled or permanently towable by a light duty truck; and
- (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Flood Insurance Study (or FIS) means the official report provided by FEMA. It contains flood profiles, floodway tables, engineering methods, and other descriptive and technical data.

or

means an examination, evaluation, and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation, and determination of mudslide and/or flood-related erosion hazards.

SECTION 2: That the provisions of this Ordinance are declared to be severable. In the event any portion or portions may be declared unconstitutional does not render the remaining provisions invalid. Further, all Ordinances and parts of Ordinances in conflict herewith are hereby repealed to the extent of said conflict.

SECTION 3: That the Mayor and the City Clerk are hereby authorized by the City Council for the City of Jonesboro to adopt the above referenced addition to the Jonesboro Municipal Code.

PASSED AND APPROVED this 18th day of January, 2011.