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11-23-82

ORDINANCE NO. 171, 1982

An ordinance providing for a preliminary determination of floodplain property elevation.

BE IT ORDAINED BY THE BOARD OF CLALLAM COUNTY COMMISSIONERS:

Chapter 31.30.050

Preliminary Determination of Floodplain Property Elevation.

Sections:

- 31.30.050.010 Findings of Fact
- 31.30.050.020 Request for Preliminary Determination of Floodplain Property Elevation
- 31.30.050.030 Fee
- 31.30.050.040 Duties of Building Official
- 31.30.050.050 Expiration Date
- 31.30.050.060 Disclaimer of Liability
- 31.30.050.070 Effective Date

C.C.C. 31.30.050.010 Findings of Fact.

(1) Floodplain Management Ordinance No. 127, 1980, together with certain FEMA maps, was approved by the Board of Clallam County Commissioners in December 1980 for various purposes, including public protection and minimizing public and private losses due to flood conditions in specified areas.

(2) Said FEMA maps designate special flood hazard areas within which the floodplain management ordinance requires new construction to be above the base flood elevation.

(3) When the County receives a construction permit application for property within a special flood hazard area, the Building Official must determine whether the development site is above or below the base flood elevation. In an obvious situation the Building Official may determine whether the development site is above or below the base flood evaluation without a survey, otherwise, the applicant may be required to provide an engineering survey establishing the elevation of the development site.

(4) Presently, there is no means for an owner of property within a special flood hazard area to know whether or not his property contains a buildable site unless the property owner submits a construction permit application.

(5) It is in the public interest to provide a method whereby a determination may be made prior to receipt of a construction permit application as to whether a potential building site is above or below base flood elevation.

C.C.C. 31.30.050.020 Request for Preliminary Determination of Floodplain Property Elevation

(1) An owner of property within a special flood hazard area as defined in C.C.C. 31.30.040.3.050 (14) may submit to the Building Official a request for a preliminary determination of floodplain property elevation.

(2) The request shall be in writing, shall contain a plot plan showing the location of the building site for which a determination of elevation is being requested, and shall state that the Building Official is requested to determine whether or not the building site is above the base flood elevation as defined in C.C.C. 31.30.040.3.050 (2).

C.C.C. 31.30.050.030 Fee. The submission of a request for a preliminary determination of floodplain property elevation shall be accompanied by the payment of a \$25 fee to cover the County's costs of performing the services provided for in this Chapter.

C.C.C. 31.30.050.040 Duties of the Building Official and Planning Director

(1) Upon receipt of a request for a preliminary determination of floodplain property elevation, together with payment of the \$25 fee, the Building Official shall inspect the proposed building site and shall determine whether or not in his best judgment the property in question is obviously above the base flood elevation.

(2) If the Building Official determines that the proposed building site is obviously above the base flood elevation, then he shall give written notification to the person making the request, shall keep a record of the determination in the building division's office, and shall inform the Planning Director.

(3) Upon receipt of the Building Official's determination that the proposed building site is obviously above the base flood elevation, the Planning Director shall record the determination, together with the date the determination was made, on the master copies of the FEMA maps within the Planning Department office, and shall notify FEMA.

(4) If the Building Official is unable to determine whether or not the property in question is obviously above the base flood elevation, then he shall notify the person making the request that a determination of floodplain property elevation will require an engineering survey to be accomplished at the property owner's expense. Upon receipt of an engineering survey, the Building Official shall complete his determination as to whether or not the property is above the base flood elevation. If the property is above the base flood elevation, then the Building Official and Planning Director shall record such determination in the same manner provided for in C.C.C. 31.30.050.040 (2) and (3).

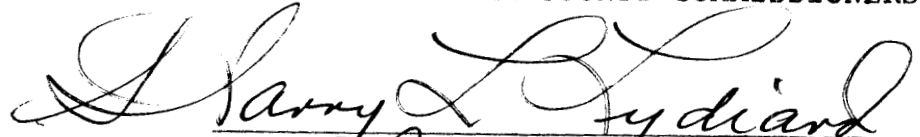
C.C.C. 31.30.050.050 Expiration Date. The Building Official's determination of floodplain property elevation shall be effective for a period of two years. At the expiration of the two year period the property owner may make another request for preliminary determination of floodplain property elevation in accordance with the provisions of this Chapter.

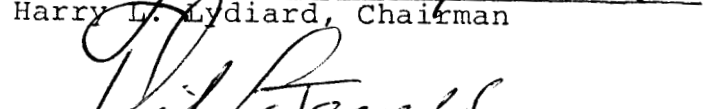
C.C.C. 31.30.050.060 Disclaimer of Liability. This Chapter does not imply that property above the base flood elevation will be free from flooding or flood damages. This Chapter does not bind the County to issue a construction permit based on the preliminary determination of floodplain property elevation. This chapter does not create liability on the part of Clallam County, or officers or employees thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made pursuant to the spirit and purpose of this Chapter.

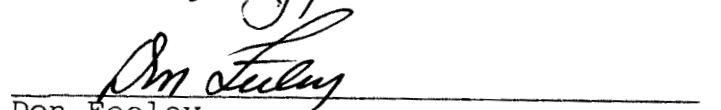
C.C.C. 31.30.050.070 Effective Date. This Chapter shall take effect ten days after adoption.

ADOPTED this 23rd day of November, 1982.


BOARD OF CLALLAM COUNTY COMMISSIONERS

  
Harry L. Lydiard, Chairman

  
Dick Lotzgesell

  
Don Feeley

ATTEST:

  
Karen L. Kirby  
Clerk of the Board

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