

Chapter 14

BUILDINGS AND BUILDING REGULATIONS*

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***Cross references**—Alcoholic beverages, ch. 6; contractors, § 18-36 et seq.; environment, ch. 26; planning, ch. 40; solid waste, ch. 44; traffic and vehicles, ch. 52; land development regulations, appendix A.

State law references—Authority of county to provide codes, including building, housing, plumbing and electrical codes, Ga. Const. art. 9, sec. 2, par. 3(12); adoption and continuation of state minimum standard codes, O.C.G.A. § 8-2-21; state-wide application of minimum standard codes, codes requiring adoption by municipality or county, O.C.G.A. § 8-2-25; enforcement of codes, O.C.G.A. § 8-2-26; providing of fire escapes by building owners, O.C.G.A. § 8-2-50; access to and use of public facilities by physically handicapped persons, O.C.G.A. § 30-3-1 et seq.; authority to repair, close or demolish unfit buildings or structures, O.C.G.A. § 41-2-7.

GRADY COUNTY CODE

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ORDINANCE

AN ORDINANCE TO AMEND ARTICLE ONE ENTITLED "IN GENERAL" OF CHAPTER 14 ENTITLED "BUILDINGS AND BUILDING REGULATIONS" AS CODE OF ORDINANCE OF GRADY COUNTY, GEORGIA, TO AMEND CERTAIN TERMS REGARDING BUILDING PERMITS.

Be It Ordained by the authority of the Grady County Board of Commissioners that Article Two entitled "In General" Paragraph (b) entitled "Building Permits" of Chapter 14 entitled "Buildings and Building Regulations" of the Grady County Code of Ordinance be amended as follows:

Section 1: Amending by Section 14-5(b) to read as follows:

(b) *Building Permits*

(1) For any new building, structure, or any addition to an existing building, structure, or portion thereof, a building permit shall be required and the following permit fees shall be paid.

(a) Residential Construction: \$0.09 per square foot.

(b) Commercial Construction: \$0.08 per square foot.

(c) Industrial Construction: \$0.07 per square foot.

(d) Mobile Home Set-Up: \$15.00 per unit.

(e) Agricultural Construction: No fee shall be charged for a building permit for construction solely intended for agricultural purposes which is located within the boundaries of a working and operating farm as determined by the issuance of a farm identification number by the Farm Service Agency of the United States Department of Agriculture.

(2) For the purpose of calculating the permit fees due under Paragraph (1) above, the square footage of a building shall be calculated as the gross floor area of the building measured from the exterior of the exterior walls.

Section 2:

Be it further ordained that this ordinance shall take effect upon passage by the Grady County Board of Commissioners.

Section 3:

Be it further ordained that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted and approved this 20th day of November, 2001.

Grady County Board of Commissioners

By: [Signature]
Chairman

Attest: [Signature]
Clerk

ORDINANCE

AN ORDINANCE TO AMEND ARTICLE ONE ENTITLED "IN GENERAL" OF CHAPTER 14 ENTITLED "BUILDINGS AND BUILDING REGULATIONS" AS CODE OF ORDINANCE OF GRADY COUNTY, GEORGIA, TO AMEND CERTAIN TERMS REGARDING BUILDING PERMITS.

Be It Ordained by the authority of the Grady County Board of Commissioners that Article Two entitled "In General" Paragraph (b) entitled "Building Permits" of Chapter 14 entitled "Buildings and Building Regulations" of the Grady County Code of Ordinance be amended as follows:

Section 1: Amending by Section 14-5(b) to read as follows:

(b) Building Permits

(1) For any new building, structure, or any addition, moving or demolition of an existing building, structure, or portion thereof, a building permit shall be required and the following permit fees shall be paid.

(c) Building Permit Fees

For any new building, structure or any addition to an existing building, structure or portion thereof, the following permit fees shall be paid. Valuation will be based on contract price or, if there is no contract price, \$50.00 per square foot of heated or cooled living space and \$30.00 per square foot on all other areas under roof:

Total Valuation	Fee
\$1,000 and less	No fee, unless inspection required, in which case a \$15.00 fee for each inspection shall be charged.
\$1,000-\$50,000	\$15.00 for the first \$1,000.00 plus \$5.00 for each additional thousand or fraction thereof, to and including \$50,000.00.
\$50,000-\$100,000	\$260.00 for the first \$50,000.00 plus \$4.00 for each additional thousand or fraction thereof, to and including \$100,000.00.
\$100,000-\$500,000	\$460.00 for the first \$100,000.00 plus \$3.00 for each additional thousand or fraction thereof, to and including \$500,000.00.
\$500,000 and up	\$1,660.00 for the first \$500,000.00 plus \$2.00 for each additional thousand or fraction thereof.

(d) *Waiver of Agricultural Construction Permit Fees*

No fee shall be charged for a building permit for construction solely intended for agricultural purposes which is located within the boundaries of a working and operating farm as determined by the issuance of a farm identification number by the Farm Service Agency of the United States Department of Agriculture.

(e) *Moving Fee*

For the moving of any building or structure, the fee shall be \$100.00.

(f) *Demolition Fee*

For the demolition of any building or structures, the fee shall be:

0 up to 100,000 cubic feet	\$50.00
100,000 cubic feet and over	\$0.50 per 1,000 cubic feet

(g) *Penalties*

Where work for which a permit is required by this code is started or proceeded prior to obtaining said permit the fees herein specified shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with the requirements of this code in the execution of the work nor from any other penalties prescribed herein.

Section 2:

Be it further ordained that this ordinance shall take effect upon passage by the Grady County Board of Commissioners.

Section 3:

Be it further ordained that all ordinances or parts of ordinances in conflict herewith are hereby repealed.

Adopted and approved this 4 day of Dec, 2001.

Grady County Board of Commissioners

By: Chh Pak
Chairman

Attest: Ann W. Mobley
Clerk

ARTICLE I. IN GENERAL**Sec. 14-1. Technical building and construction codes adopted.**

The following technical building and construction codes are adopted by reference and may be amended for later editions as required by the Georgia Uniform Codes Act, O.C.G.A. § 8-2-25:

- (1) Standard Building Code (SBCCI).
 - (2) National Electrical Code as published by the National Fire Protection Association.
 - (3) Standard Gas Code (SBCCI).
 - (4) Standard Mechanical Code (SBCCI).
 - (5) Georgia State Plumbing Code or the Standard Plumbing Code (SBCCI).
 - (6) Council of American Building Officials One- and Two-Family Dwelling Code, with the exception of Part V-Plumbing (Chapters 20-25) of such code.
 - (7) Georgia State Energy Code for Buildings as adopted by the State Building Administrative Board pursuant to an Act approved April 10, 1978 (Ga. L. 1978, p. 2212), as such code exists on September 30, 1991.
 - (8) Standard Fire Prevention Code (SBCCI).
 - (9) Standard Housing Code (SBCCI).
 - (10) Standard Swimming Pool Code (SBCCI).
 - (11) Standard Unsafe Building Abatement Code (SBCCI).
- (Ord. of 10-15-91)

Sec. 14-2. Building official—Badge of office.

For the purpose of identification, the building official may adopt a badge of office which he shall display on demand; provided that in any emergency, any other method of identification shall be sufficient.

(Ord. of 1-22-91, § 1.3(c); Ord. of 12-5-94, § 1.3(c))

Sec. 14-3. Same—Cooperation of other county officials.

The building official may request and shall receive, so far as may be necessary in the discharge of his duties, the assistance and cooperation of the sheriff in enforcing orders, of the county attorney in prosecuting violations, and of any other county official.

(Ord. of 1-22-91, § 1.3(f); Ord. of 12-5-94, § 1.3(f))

Sec. 14-4. Fee payment prior to issuance of permit.

No permit, as provided above, shall be issued until after the permit fee has been paid to the county as reflected in section 14-5.

(Ord. of 1-22-91, § 3.7; Ord. of 12-5-94, § 3.7)

Sec. 14-5. Schedule of permit fees.

(a) *Minimum fee.* A base minimum fee of \$15.00 shall be charged for any permit issued. All charges set forth hereinafter shall be in addition to the base minimum fee.

(b) *Building permits.*

- (1) For any new building, structure, or any addition to an existing building, structure, or portion thereof, the following permit fees shall be paid.
- Residential construction: \$0.09 per square foot.
 - Commercial construction: \$0.08 per square foot.
 - Industrial construction: \$0.07 per square foot.
 - Mobile home setup: \$15.00 per unit.

For the purpose of calculating permit fees, the square footage of a building shall be calculated as the gross floor area of the building measured from the exterior of the exterior walls.

- (2) *Remodeling.* For remodeling, repairs or modification of existing buildings or structures, or for the construction or installation of other structures for which a gross floor area cannot be measured, the permit fee shall be as follows:

<i>Total Valuation</i>	<i>Fee</i>
\$0.00—\$15,000.00 per \$1,000.00 or fraction thereof	\$ 5.00
\$15,001.00—\$50,000.00:	
For the first \$15,000.00	45.00
Plus, for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00	4.00
\$50,001.00—\$100,000.00:	
For the first \$50,000.00	132.50
Plus, for each additional \$1,000.00 or fraction thereof, to and include \$100,000.00	3.50
Mobile home set up	30.00
\$100,001.00—\$500,000.00:	
For the first \$100,000.00	232.50
Plus, for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00	2.00
\$500,001.00 and up:	
For the first \$500,000.00	732.50
Plus, for each additional \$1,000.00 or fraction thereof	1.00

- (3) *Manufactured (mobile) home erection.* A permit fee of \$15.00 shall be charged for manufactured home erections.
- (4) *Moves and demolitions:* A permit fee of \$50.00 shall be charged for all demolition and moving permits.

(c) *Electrical permits.*

<i>Wiring</i>	<i>Fee</i>
Outlets, receptacles, wall switches fixtures, each.....	\$ 0.20
<i>Motors</i>	
5 hp or less	2.00
Over 5 hp through 25 hp	6.00
Over 25 hp through 100 hp	10.00
Over 100 hp	20.00
<i>Generators</i>	
600 volts or less, not over 1 kw	3.00
600 volts or less, over 1 kw	10.00
Over 600 volts	25.00
<i>Services</i>	
Temporary or construction	5.00
200 amps or less	10.00
Over 200 amps but less than 600 amps	15.00
Over 600 amps	25.00
Plus, for each 100 amps or fraction thereof over 600 amps	1.20
<i>Transformers</i>	
Not exceeding 600 volts	3.00
Exceeding 600 volts	7.00
<i>Alternate method</i>	
There shall be a charge of \$0.02 per square foot for all commercial buildings of \$100,000.00 value and above, or the contractor shall have the option of using the alternate method of computing actual fixture counts in accordance with the above schedule.	

(d) *Plumbing.*

<i>Description</i>	<i>Fee</i>
For each plumbing fixture, floor drain	\$ 2.00

(e) *Mechanical.*

<i>Description</i>	<i>Fee</i>
Air conditioning compressors per ton.....	\$ 4.00
Heating equipment or boilers per 50,000 btu or fraction thereof when no a/c involved.....	5.00
All duct work, ventilating and refrigeration systems not included above, per \$1000.00 valuation.....	4.00
Air conditioning unit or heating unit installation for mobile home.....	5.00

(f) *Gas.*

<i>Description</i>	<i>Fee</i>
For each connection to the gas piping system.....	\$ 2.00
Mobile home hook up.....	5.00

(g) *Reinspections.* Where inspections are required, the inspection and the first reinspection shall be at no cost; for each and every reinspection thereafter, there shall be paid a reinspection fee of \$15.00; however, the building official may waive the reinspection fee if he determines that the reinspection was not required as a result of the failure of the contractor to have the work ready to inspect or to have performed the work correctly.

(h) *Certificates of occupancy.* The issuance of certificate of occupancy shall be at no cost except as follows:

(1) Temporary certificates of occupancy.....	\$ 10.00
(2) Certificates of occupancy required for existing buildings for which a building permit has not been issued.....	15.00

(i) *Contractor registration.* There shall be a charge of \$25.00 per calendar year as a registration fee imposed for contractors for registration and renewal of registration.
(Ord. of 1-22-91, § 3.8; Ord. of 12-5-94, § 3.8)

Sec. 14-6. Penalty.

Any person who shall violate this chapter may be prosecuted within the magistrate court of the county. Conviction of violation of this chapter shall be punished by fine or imprisonment that shall not exceed the maximum punishment permitted by law (O.C.G.A. § 15-10-60). Applicable court costs shall be levied in addition to any punishment imposed. Each day in violation of the construction and building regulation shall continue or constitute a separate offense.

(Ord. of 1-22-91, § 8.3; Ord. of 3-17-92, § 1; Ord. of 12-5-94, § 8.3)

Sec. 14-33. Appeals.

Whenever the building official shall reject or refuse to approve the mode or manner of construction proposed to be followed or materials to be used in the installation or alteration of a building or structure, or when it is claimed that the provisions of this code do not apply, or that any equally good or more desirable form of installation can be employed in any specific case, or when it is claimed that the true intent and meaning of this Code or any of the regulation thereunder have been misconstrued or incorrectly interpreted, the owner of such building or structure, or his duly authorized agent, may appeal from the decision of the building official to the board. Notice of appeal shall be in writing and filed within 90 days after the decision is rendered by the building official, except that in case of a building, structure, electrical, plumbing, mechanical or gas system which, in the opinion of the building official, is unsafe or dangerous, the building official may, in his order, limit the time for such appeal to a shorter period. Appeals shall be on forms provided by the building official.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(f))

Sec. 14-34. Variances.

The board, when so appealed to and after a hearing, may vary the application of any provision of this Code to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this Code or public interest, or when, in its opinion the interpretation of the building official should be modified or reversed.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(g))

Sec. 14-35. Action.

The board shall, in every case, reach a decision without unreasonable or unnecessary delay. Each decision of the board shall also include the reasons for the decision. If a decision of the board reverses or modified a refusal, order, or disallowance of the building official, or varies the application of any provision of this Code, the building official shall immediately take action in accordance with the decision.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(h))

Sec. 14-36. Decisions final.

Every decision of the board shall be final, subject however to such remedy as any aggrieved party might have at law or in equity.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(i))

Secs. 14-37—14-55. Reserved.

ARTICLE III. FLOW RATE RESTRICTIONS ON PLUMBING FIXTURES*

Sec. 14-56. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Commercial means any type of building other than residential.

Construction means the erection of a new building or the alteration of an existing building in connection with its repair or renovation or in connection with making an addition to an existing building and shall include the replacement of a malfunctioning, unserviceable, or obsolete faucet, showerhead, toilet or urinal in an existing building.

Residential means any building or unit of a building intended for occupancy as a dwelling but shall not include a hotel or motel.

(Ord. of 2-5-91, § a)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 14-57. Applicability.

The requirements of section 14-59 shall apply to any residential construction initiated after July 1, 1991, and to any commercial construction initiated after July 1, 1992, which involves the repair or renovation of or addition to any existing building when such repair or renovation of or addition to such existing building includes replacement of toilets or showers or both.

(Ord. of 2-5-91, § d)

Sec. 14-58. Enforcement; penalty.

(a) This article shall be enforced by the office of the building inspector of the county. Citations for violations may be issued by the chief building inspector of the county.

(b) Any person violating this article shall be tried before the probate court of the county. Upon conviction, a violation of this article may be punished as provided in section 1-12.

(Ord. of 2-5-91, § f)

Sec. 14-59. Residential buildings.

On or after July 1, 1991, no construction may be initiated within the county for any residential building of any type which employs:

- (1) A gravity tank-type, flushometer-valve, or flushometer-tank toilet that uses more than an average of 1.6 gallons of water per flush; provided, however, this paragraph shall not be applicable to one-piece toilets until July 1, 1992.
- (2) A shower head that allows a flow of more than an average of 2.5 gallons of water per minute at 60 pounds per square inch of pressure.

***Cross reference**—Solid waste, ch. 34.

Sec. 14-7. Abatement.

The imposition of the penalties herein prescribed shall not preclude the county attorney from instituting an appropriate action or proceeding to prevent an unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use, or to restrain, correct or abate a violation, or to prevent an illegal act, conduct, business or use in or about any premises.

(Ord. of 1-22-91, § 8.4; Ord. of 12-5-94, § 8.4)

Sec. 14-8. Location of certain types of livestock and farming operations.

The county shall require the following measures for the development of any facilities involving the breeding, hatching, raising, feeding, keeping, slaughtering, or processing livestock and/or chickens, turkeys, poultry or other fowl raised for food for commercial purposes in the production, processing and packing of eggs or egg products having a total number of animals exceeding 100 in number.

- (1) No person shall erect, construct or enlarge any agricultural structure for the purposes mentioned above without first obtaining a building permit from the building official and providing a site plan indicating the location of the livestock/poultry operation structures or buildings as they are related to adjacent property lines and residential properties. Distance between land uses shall be noted on the site plan.
- (2) The lot on which a livestock/poultry operation or facility is placed that is subject to this section shall not be less than five acres. All exhaust fans from such operations shall be directed away from existing dwellings whenever possible. All buildings or structures involving livestock or poultry operations shall be located no closer than 250 feet from any adjacent property line. The setback of the facility shall be 200 feet from the right-of-way. No livestock or poultry facility as identified above shall be located any closer than 1,500 feet from any habitable dwelling, excluding any residential dwelling owned by the livestock/poultry operation owner.
- (3) The planning commission may waive the regulation requiring a distance of 1,500 feet between any proposed livestock or poultry operation and any habitable dwelling providing that the developer of the operation obtains a notarized agricultural adjacency form from the owners of every habitable dwelling unit within 1,500 feet. The planning commission may also waive said distance requirements in the case of any proposed residential, commercial or industrial development planning to locate within said distance of an existing livestock or poultry operation, provided that the property owner of the proposed development signs a similar agricultural adjacency form.

An agricultural adjacency form shall be notarized. It shall be submitted by the developer at the time of the request for a building permit. The agricultural adjacency form shall state that the adjacent property owner(s) understands that an application for a building permit for a livestock or poultry related agricultural facility is being requested within 1,500 feet of a habitable dwelling on his property that he understands

the proposed (or existing) use may produce odors, noise, dust and other effects which may not be compatible with land uses on property. In the case of a proposed development, it shall state that the proposed building will be constructed within 1,500 feet of an existing livestock or poultry facility. This will be necessary for owners planning to build a new residential, commercial or industrial land use within said distance of an existing livestock or poultry building. Nevertheless, understanding the effects of the livestock or poultry operation, the applicant agrees that by executing the agricultural adjacency form he waives any objection to those effects and understands that permits will only be issued and processed in reliance on his agreement not to bring any action against the local government and the livestock or poultry operation landowner should the facility constitute a nuisance. Any such notice of acknowledgement provided to or executed by a land owner adjoining livestock or poultry related agricultural facility shall be public record.

(Ord. of 9-5-95)

Cross reference—Animals, ch. 10.

Secs. 14-9—14-30. Reserved.

ARTICLE II. CONSTRUCTION INDUSTRY BOARD OF LICENSING, ADJUSTMENTS AND APPEALS*

Sec. 14-31. Established; members.

(a) There is hereby established a board to be called the construction industry board of licensing, adjustments and appeals, hereafter referred to as the board, which shall consist of six voting members and a liaison to the planning commission. The said board shall be appointed by the board of commissioners: one of whom shall be a building contractor, two shall be master electricians, one a master plumber, one a licensed conditioned air contractor and one a representative of the building supply industry.

(b) The terms of all members shall be for three years except that for the initial creation of the board three of the members shall be appointed for two years.

(c) Four voting members present shall constitute a quorum.

(d) The chairman of the board shall be appointed by the commission.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(a)—(d))

Sec. 14-32. Duties.

The board shall administer all building industry competency examinations required by this chapter. The board shall also hear and make decisions on appeals to the decisions of the building official and hear requests for adjustments to the Code.

(Ord. of 1-22-91, § 1.4; Ord. of 12-5-94, § 1.4(e))

*Cross references—Administration, ch. 2; businesses, ch. 18.

- (3) A urinal that uses more than an average of 1.0 gallons of water per flush.
 - (4) A lavatory faucet or lavatory replacement aerator that allows a flow of more than 2.0 gallons of water per minute.
 - (5) A kitchen faucet or kitchen replacement aerator that allows a flow of more than 2.5 gallons of water per minute.
- (Ord. of 2-5-91, § b)

Sec. 14-60. Commercial buildings.

On or after July 1, 1992, there shall be no construction of any commercial building initiated within the county for any commercial building of any type which does not meet the requirements of 14-59.

(Ord. of 2-5-91, § c)

Sec. 14-61. Exemptions.

(a) New construction and the repair or renovation of an existing building shall be exempt from the requirements of sections 14-57, 14-59, and 14-60 when:

- (1) The repair or renovation of the existing building does not include the replacement of the plumbing or sewage system servicing toilets, faucets or shower heads within such existing buildings.
- (2) When such plumbing or sewage system within such existing building, because of its capacity, design or installation would not function properly if the toilets, faucets or shower heads required by this article were installed.
- (3) Such system is a well or gravity flow from a spring and is owned privately by an individual for use in such individual's personal residence.
- (4) Units to be installed are:
 - a. Specifically designed for use by the handicapped;
 - b. Specifically designed to withstand unusual abuse or installation in a penal institution; or
 - c. Toilets for juveniles.

(b) The owner, or his agent, of a building undergoing new construction or repair or renovation who is entitled to an exemption as specified in this section shall obtain the exemption by applying at the office of the building inspector for the county. A fee as shown in Appendix H of the plumbing code shall be charged for the inspection and issuance of such exemption.

(Ord. of 2-5-91, § e)

Secs. 14-62—14-70. Reserved.

ARTICLE IV. DESIGNATION OF ROAD NAMES AND BUILDING NUMBERS

Sec. 14-71. Road names.

(a) All existing and/or new public roads and/or streets within the unincorporated boundaries of the county shall be assigned a name approved by the county board of commissioners as set forth by the county subdivision ordinance.

(b) All requests for road and/or street names shall be submitted to the county board of commissioners and the name of a new road and/or street shall conform to the requirements of the subdivision ordinance and regulations of the county.

(Ord. of 8-17-93, § 1)

Sec. 14-72. Designation of road and/or street numbers.

(a) Road and/or street numbers for each dwelling unit and place of business on all public and private streets and roads shall be assigned by the office of code enforcement of the county according to the uniform system in effect within the county.

(b) The office of code enforcement shall keep a record of all numbers assigned under this article.

(c) No building or structure for which a house number is required shall be occupied prior to the assignment of said number.

(d) No building or structure for which a house number is required shall obtain permanent utility connections prior to the assignment of such number.

(e) All persons requiring a house number assignment prior to occupancy or connection of permanent utilities must apply for such number at the office of county code enforcement at least three days in advance of occupancy.

(Ord. of 8-17-93, § 2)

Sec. 14-73. Posting of designated road and/or street addresses.

(a) The owner or occupant or person in charge of any house or building to which a number has been assigned shall be notified by the office of county code enforcement.

(b) Within 30 days after the receipt of such notification, the owner or occupant or person in charge of a house or building to which a number has been assigned shall affix the number in a conspicuous place as set forth herein.

(c) It shall be the duty of such owner or occupant or person in charge thereof upon affixing the new number to remove any different number which might be mistaken for, or confused with, the number assigned to said structure by the office of county code enforcement.

Area of special flood hazard is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.

Base flood means the flood having a one percent chance of being equaled or exceeded in any given year.

Basement means that portion of a building having its floor subgrade (below ground level) on all sides.

Building means any structure built for support, shelter, or enclosure for any occupancy or storage.

Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavating, drilling operations, or permanent storage of materials or equipment.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, columns (posts and piers), shear walls, or breakaway walls.

Existing construction means any structure for which a building permit was issued before October 1, 1994.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured 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 before the effective date of the floodplain management regulations adopted by a community (before the effective date of the first floodplain management code, ordinance, or standard based upon specific technical base flood elevation data which established the area of special flood hazard) or (specific date).

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured 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).

Flood or *flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters;
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood hazard boundary map (FHBM) means an official map of a community, issued by the Federal Emergency Management Agency, where the boundaries of the areas of special flood hazard have been defined as Zone A.

Flood insurance rate map (FIRM) means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood insurance, study is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, as well as the flood boundary floodway map and the water surface elevation of the base flood.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor means the top surface of an enclosed area in a building (including basement), i.e., top of slab in concrete slab construction or top of wood flooring in wood frame construction. The term does not include the floor of a garage used solely for parking vehicles.

Functionally dependent facility means a facility which cannot be used for its intended purpose unless it is located or carried out in close proximity to water, such as a docking or port facility necessary for the loading and unloading of cargo or passengers, shipbuilding, ship repair, or seafood processing facilities. The term does not include long-term storage, manufacture, sales, or service facilities.

Highest adjacent grade means the highest natural elevation of the ground surface, prior to construction, next to the proposed walls of a building.

Historic structure means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (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;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which 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 home means a building, 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. The term also includes park trailers, travel trailers, and similar transportable structures placed on a site for 180 consecutive days or longer and intended to be improved property.

ORDINANCE

AN ORDINANCE TO ADD ARTICLE FOUR OF CHAPTER 14 SECTION 75, SAID ARTICLE BEING ENTITLED "DESIGNATION OF ROAD NAMES AND BUILDING NUMBERS" OF THE CODE OF ORDINANCE OF GRADY COUNTY, GEORGIA, TO INCLUDE TERMS RESTRICTING THE NAMING OF ANY COUNTY BUILDING OR FACILITY AFTER A PERSON.

Be It Ordained by the authority of the Grady County Board of Commissioners that Article Four entitled, "Designation of Road Names and Buildings Numbers" Section 14-75 shall be titled, "Naming of Building or Public Places after Persons" and shall be included in the Grady County Code of Ordinance as follows:

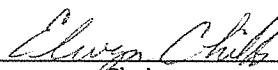
Section 14-75: Naming of Building or Public Places After Persons.

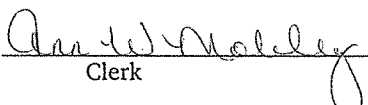
No building or public place owned by Grady County shall be named after or dedicated to a person, except that any property given or donated to the County may be named after its donor with the consent of the majority of the board. This ordinance shall not prevent any buildings or places which were previously named or dedicated to a person prior to entry of this ordinance to continue to be known as their current name but does restrict any further naming or dedication of any existing County buildings or buildings or grounds acquired or constructed by the County in the future.

Be it further ordained that any ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

Adopted and approved this 3rd day of June, 2003.

Grady County Board of Commissioners

By: 
Chairman

Attest: 
Clerk

(d) It shall be the duty of each owner or occupant or person in charge of every structure to which a number has been assigned to display such number and figures at least 2½ inches high at a permanent location (e.g. post, mailbox, building) not more than 25 feet from the street line clearly visible from the public road and/or street.

Whenever the owner, agent or occupant of such dwelling or building shall neglect or refuse to affix or inscribe the proper numbers to the dwelling house or building, the office of code enforcement shall serve notice on the owner, agent or occupant at the address. That numbers shall be properly affixed to the property within ten days of the service of notice after being duly notified as herein provided, such owner, agent or occupant may be fined as set forth herein and the number ordered affixed or inscribed by an official of the county.

(Ord. of 8-17-93, § 3; Ord. of 3-5-96, § A)

Sec. 14-74. Penalties.

In the event that the owner or occupant or person in charge of any structure to which a number has been assigned refuses to comply with the terms of this article by failing to display the assigned number or if any person shall take down, alter, injure or deface any number affixed or inscribed, such person may be fined the sum not to exceed \$100.00.

(Ord. of 8-17-93, § 4)

Secs. 14-75—14-80. Reserved.

ARTICLE V. FLOOD DAMAGE PREVENTION

Sec. 14-81. Statutory authorization, findings of fact, purpose and objectives.

(a) *Statutory authorization.* The general assembly of the state has elected to permit local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the board of commissioners of the county does ordain as follows.

(b) *Findings of fact.*

- (1) The flood hazard areas of the county are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in floodplains causing increases in flood heights and velocities, and by the occupancy in flood hazard areas by uses vulnerable to floods or hazardous to other lands which are inadequately elevated, flood-proofed, or otherwise unprotected from flood damages.

(c) *Statement of purpose.* It is the purpose of this article to promote the public, health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Restrict or prohibit uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of flood waters;
- (4) Control filling, grading, dredging and other development which may increase erosion or flood damage; and
- (5) Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

(d) *Objectives.* The objectives of this article are:

- (1) To protect human life and health;
 - (2) To minimize expenditure of public money for costly flood control projects;
 - (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
 - (4) To minimize prolonged business interruptions;
 - (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, roads and bridges located in floodplains;
 - (6) To help maintain a stable tax base by providing for the sound use and development of flood prone areas in such a manner as to minimize flood blight areas; and
 - (7) To insure that potential home buyers are notified that property is in a flood area.
- (Ord. of 10-4-94, Art. 1)

Sec. 14-82. Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted so as to give them the meaning they have in common usage and to give this article its most reasonable application.

Addition (to an existing building) means any walled and roofed expansion to the perimeter of a building in which the addition is connected by a common load-bearing wall other than a fire wall. Any walled and roofed addition which is connected by a fire wall or is separated by independent perimeter load-bearing walls is new construction.

Appeal means a request for a review of the code enforcement officer's interpretation of any provision of this article or a request for a variance.

Mean sea level means the average height of the sea for all stages of the tide. It is used as a reference for establishing various elevations within the floodplain. For purposes of this article, the term is synonymous with national geodetic vertical datum (NGVD).

National geodetic vertical datum (NGVD) as corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

New construction means any structure for which a building permit was issued after September 30, 1994. The term also included any subsequent improvements to such structure.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured 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 after the effective date of floodplain management regulations adopted by a community.

Recreational vehicle means a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projection;
- (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.

Start of construction for other than new construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, or improvement was within 180 days of the permit date. The actual start means the first placement of permanent construction of a building (including a manufactured home) on a site, such as the pouring of slabs or footings, installation of piles, construction of columns, or any work beyond the stage of excavation or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main building. For a substantial improvement, the 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.

Structure means a walled and roofed building that is principally above ground, a manufactured home, a gas or liquid storage tank, or other man-made facilities or infrastructures.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement means any combination of repairs, reconstruction, alteration, or improvements to a building, taking place during a 15-year period, in which the cumulative cost equals or exceeds 50 percent of the market value of the building. The market value of the building should be (1) the appraised value of the building prior to the start of the initial repair or improvement, or (2) in the case of damage, the value of the building prior to the damage occurring. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. 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 building. The term does not, however, include any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the code enforcement official and which are solely necessary to assure safe living conditions.

Substantially improved existing manufactured home parks or subdivisions is where the repair, reconstruction, rehabilitation or improvement of the streets, utilities and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement commenced.

Variance is a grant of relief from the requirements of this article which permits construction in a manner otherwise prohibited by this article where specific enforcement would result in unnecessary hardship.

(Ord. of 10-4-94, Art. 2)

Sec. 14-83. General provisions.

(a) *Lands to which this article applies.* This article shall apply to all areas of special flood hazard within the jurisdiction of the county excluding those areas within the jurisdiction of the City of Cairo and the City of Whigham.

(b) *Basis for establishing the areas of special flood hazard.* The areas of special flood hazard identified by the Federal Emergency Management Agency in its flood hazard boundary maps dated June 7, 1977, with accompanying maps and other supporting data, and any revision thereto, are adopted by reference and declared to be a part of this article.

(c) *Establishment of development permit.* A development permit shall be required in conformance with the provision of this article prior to the commencement of any development activities.

(d) *Compliance.* No structure or land shall hereafter be located, extended, converted or structurally altered without full compliance with the terms of this article and other applicable regulations.

(e) *Abrogation and greater restrictions.* This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(f) *Interpretation.* In the interpretation and application of this article all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes.

(g) *Warning and disclaimer of liability.* The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering consideration. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This article does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the county or by any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(h) *Penalties for violation.* Violation of the provisions of this article or failure to comply with any of its requirements, including violation of conditions and safeguards established in connection with grants of variance or special exceptions, shall constitute a misdemeanor. Any person who violates this article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$1,000.00 or imprisoned for not more than 60 days, or both, and in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense. Nothing herein contained shall prevent the county from taking such other lawful actions as is necessary to prevent or remedy any violation.

(Ord. of 10-4-94, Art. 3)

Sec. 14-84. Administration.

(a) *Designation of administrator.* The code enforcement officer is hereby appointed to administer and implement the provisions of this article.

(b) *Permit procedures.* Application for a development permit shall be made to the code enforcement officer on forms furnished by him or her prior to any development activities, and may include, but not be limited to, the following plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, earthen fill, storage of materials or equipment, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) *Application stage.*
 - a. Elevation in relation to mean sea level of the proposed lowest floor (including basement) of all buildings;
 - b. Elevation in relation to mean sea level to which any non-residential building will be flood-proofed;

- c. Certificate from a registered professional engineer or architect that the non-residential flood-proofed building will meet the flood-proofing criteria in subsection 14-85(b)(2);
 - d. Description of the extent to which any watercourse will be altered or relocated as a result of proposed development; and
- (2) *Construction stage.* Provide a floor elevation or flood-proofing certification after the lowest floor is completed or after placement of the horizontal structural members of the lowest floor. Upon placement of the lowest floor, or flood-proofing by whatever construction means, or upon placement of the horizontal structural members of the lowest floor, whichever is applicable, it shall be the duty of the permit holder to submit to the code enforcement officer a certification of the elevation of the lowest floor, flood-proofed elevation, or the elevation of the lowest portion of the horizontal structure members of the lowest floor, whichever is applicable, as built, in relation to mean sea level. Said certification shall be prepared by or under the direct supervision of a registered land surveyor or professional engineer and certified by same. When flood-proofing is utilized for a particular building, said certification shall be prepared by or under the direct supervision of professional engineer or architect and certified by same. Any work undertaken prior to submission of the certification shall be at the permit holder's risk. The code enforcement officer shall review the floor elevation survey data submitted. Deficiencies detected by such review shall be corrected by the permit holder immediately and prior to further progressive work being permitted to proceed. Failure to submit the survey or failure to make said corrections required hereby, shall be cause to issue a stop-work order for the project.
- (c) *Duties and responsibilities of the code enforcement officer.* Duties of the code enforcement officer shall include, but not be limited to:
- (1) Review all development permits to assure that the permit requirements of this article have been satisfied;
 - (2) Advise permittee that additional federal or state permits may be required, and if specific federal or state permit requirements are known, require that copies of such permits be provided and maintained on file with the development permit.
 - (3) Notify adjacent communities and the Georgia Department of Natural Resources prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
 - (4) Assure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished.
 - (5) Verify and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved buildings in accordance with subsection 14-84(b)(2).
 - (6) Verify and record the actual elevation (in relation to mean sea level) to which the new or substantially improved buildings have been flood-proofed, in accordance with subsection 14-84(b)(2).

- (7) When flood-proofing is utilized for a particular building, the code enforcement officer shall obtain certification from a registered professional engineer or architect, in accordance with subsection 14-85(b)(2).
 - (8) Where interpretation is needed as to the exact location of boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the code enforcement officer shall make the necessary interpretation. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in this article.
 - (9) When base flood elevation data or floodway data have not been provided in accordance with subsection 14-83(b), then the code enforcement officer shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer the provisions of section 14-85.
 - (10) All records pertaining to the provisions of this article shall be maintained in the office of the code enforcement officer and shall be open for public inspection.
- (d) *Variance procedures.*
- (1) The construction industry board of licensing, adjustment and appeals, hereinafter referred to as CIB, as established by the county shall hear and decide appeals and requests for variances from the requirements of this article.
 - (2) The CIB shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the code enforcement officer in the enforcement or administration of this article.
 - (3) Any person aggrieved by the decision of the CIB or any taxpayer may appeal such decision to the county superior court.
 - (4) Variances may be issued for the repair or rehabilitation of historic structures (see definition) upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum to preserve the historic character and design of the structure.
 - (5) In passing upon such applications, the CIB shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this article, and:
 - a. The danger that materials may be swept onto other lands to the injury of others;
 - b. The danger to life and property due to flooding or erosion damage;
 - c. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - d. The importance of the services provided by the proposed facility to the community;
 - e. The necessity of the facility to a waterfront location, in the case of a functionally dependent facility;

- f. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 - g. The compatibility of the proposed use with existing and anticipated development;
 - h. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - i. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - j. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site, and;
 - k. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (6) Upon consideration of the factors listed above, and the purposes of this article, the CIB may attach such conditions to the granting of variances as it deems necessary to further the purposes of this article.
- (7) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (8) Conditions for variances:
- a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and in the instance of a historical building, a determination that the variance is the minimum necessary so as not to destroy the historic character and design of the building;
 - b. Variances shall only be issued upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisance, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - c. Any applicant to whom a variance is granted shall be given written notice specifying the difference between the base flood elevation and the elevation to which the building is to be built and stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
 - d. The code enforcement officer shall maintain the records of all appeal actions and report any variances to the Federal Emergency Management Agency upon request.

(Ord. of 10-4-94, Art. 4)

Sec. 14-85. Provisions for flood hazard reduction.

(a) *General standards.* In all areas of special flood hazard the following provisions are required:

- (1) New construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure;
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
- (3) New construction and substantial improvements shall be constructed of materials and utility equipment resistant to flood damage;
- (4) New construction or substantial improvement shall be constructed by methods and practices that minimize flood damage;
- (5) Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (6) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (7) 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 flood waters;
- (8) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding;
- (9) Any alteration, repair, reconstruction or improvements to a building which is in compliance with the provisions of this article, shall meet the requirements of "new construction" as contained in this article; and
- (10) Any alteration, repair, reconstruction or improvements to a building which is not in compliance with the provisions of this article, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.

(b) *Specific standards.* In all areas of special flood hazard where base flood elevation data have been provided, as set forth in subsection 14-83(b), or subsection 14-84(c)(9), the following provisions are required:

- (1) *Residential construction.* New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement elevated no lower than two feet above the base flood elevation. Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance

with standards of subsection 14-85(b)(3). A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the official as set forth in subsection 14-84(c)(7).

- (2) *Non-residential construction.* New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than two feet above the level of the base flood elevation. Buildings located in all A-zones may be flood-proofed in lieu of being elevated provided that all areas of the building below the required elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect 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 official as set forth in subsection 14-84(c)(7).
- (3) *Elevated buildings.* New construction or substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevation shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.
 - a. Designs for complying with this requirement must either be certified by a professional engineer or architect or meet the following minimum criteria:
 1. Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 2. The bottom of all openings shall be no higher than one foot above grade; and
 3. Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions.
 - b. Access to the enclosed area shall be the minimum necessary, to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
 - c. The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- (4) *Standards for manufactured homes and recreational vehicles.*
 - a. All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.
 - b. All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision must be elevated so that:
 1. The lowest floor of the manufactured home is elevated no lower than two feet above the level of the base flood elevation, or

2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least an equivalent strength, of no less than 36 inches in height above grade.
 3. The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse and lateral movement.
 4. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, any manufactured home placed or substantially improved must meet the standards of subsections 14-85(b)(4)b.1. and 3. above.
- c. All recreational vehicles placed on sites must either:
1. Be fully licensed and ready for highway use, or
 2. The recreational vehicle must meet all the requirements for new construction, including anchoring and elevation requirements of subsections 14-85(b)(4)a. or b.1. and 3. above.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached structures.

- (5) *Floodways.* Located within areas of special flood hazard established in subsection 14-83(b), are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and has erosion potential, the following provisions shall apply:
- a. Prohibit encroachments, including fill, new construction, substantial improvements and other developments unless certification (with supporting technical data) by a registered professional engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during occurrence of the base flood discharge;
 - b. If subsection 14-85(b)(5)a. is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of section 14-85.
 - c. Prohibit the placement of manufactured homes (mobile homes), except in an existing manufactured homes (mobile homes) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided anchoring standards of subsection 14-85(a)(2), and the elevation standards of subsection 14-85(b)(1) and the encroachment standards of subsection 14-85(b)(5)a., are met.

(c) *Building standards for streams without established base flood elevations and/or floodway (A-Zones).* Located within the areas of special flood hazard established in subsection 14-83(b), where streams exist but no base flood data have been provided (A-Zones), or where base flood data have been provided but a floodway has not been delineated, the following provisions apply:

- (1) When base flood elevation data or floodway data have not been provided in accordance with subsection 14-83(b), then the county code enforcement director shall obtain, review, and reasonably utilize any scientific or historic base flood elevation and floodway data available from a federal, state, or other source, in order to administer the provisions of section 14-85. Only if data are not available from these sources, then the following provisions ((2) and (3)) shall apply:
- (2) No encroachments, including structures or fill material, shall be located within an area equal to the width of the stream or 20 feet, whichever is greater, measured from the top of the stream bank, unless certification by a registered professional engineer is provided demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (3) In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement) elevated no less than three feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of subsection 14-85(b)(3) "elevated buildings."

The county code enforcement director shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(d) *Standards for subdivision proposals.*

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards; and
- (4) Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions) which is greater than the lesser of 50 lots or five acres.

(Ord. of 10-4-94, Art. 5; Ord. of 3-19-96, § 1)