

ORDINANCE NO. 78-16

AN ORDINANCE ADOPTING REGULATIONS FOR THE CONSTRUCTION,  
SUBSTANTIAL IMPROVEMENT, SUBDIVISION OF LAND, PLACEMENT OF  
MOBILE HOMES OR OTHER DEVELOPMENT IN  
RELATION TO FLOOD HAZARD AREAS

BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM, Illinois, as follows:

Section 1. Purpose. The purpose of this ordinance is to avoid the hazards to persons and damage to property resulting from flooding and to comply with the Rules and Regulations of the National Flood Insurance Program as promulgated by the United States Department of Housing and Urban Development, Federal Insurance Administration as provided in the Rules and Regulations of the Federal Register, Vol. 41, No. 207, Tuesday, October 26, 1976, as amended, and which are hereby adopted by reference, and filed in the office of the village clerk, pursuant to Illinois Law and Illinois Revised Statutes Chapter 24, Section 11-30-2.

Section 2. Definitions. For the purpose of this ordinance, the following definitions are adopted:

- A. "Development" means: any man-made change to improved or unimproved real estate, including but not limited to construction of or substantial improvements to buildings or other structures, the placement of mobile homes, mining, dredging, filling, grading, paving, excavation or drilling operations.
- B. "Flood" or "Flooding" means: a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters, or the unusual and rapid accumulation or runoff of surface waters from any source.

- C. "Base flood" means: the flood having a one percent chance of being equalled or exceeded in any given year. The base flood is also known as the one hundred (100) year flood.
- D. "Base flood elevation" means: the elevation in relation to Mean Sea Level of the crest of the base flood.
- D. "Structure" means: a walled and roofed building including a gas or liquid storage tank that is principally above ground, as well as a mobile home and a prefabricated building.
- F. "Mobile home" means: a structure 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. For the purpose of this ordinance it does not include recreational vehicles or travel trailers.
- G. "Substantial improvement" means: any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged, and is being restored, before the damage occurred. The term does not, however, include either: (I) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions, or (II) any alteration of a structure or site documented as deserving preservation by the Illinois Department of Conservation or listed on the National Register of Historic Places.

Section 4. Flood Hazard Boundary Map. The Flood Hazard Boundary Map No. 170601A dated June 11, 1976 and amendments thereto, delineating A Zones as areas that are susceptible to the base flood as prepared by the United States Department of Housing and Urban Development, Federal Insurance Administration, is hereby adopted for the purpose of this ordinance and filed as a record in the office of the village clerk.

Section 5. Permit required. No person, firm or corporation shall commence any construction, substantial improvement, subdivision of land, placement of mobile homes or other development in areas located in an A Zone without first obtaining a permit from the BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM with the advice of the Planning Commission of the VILLAGE OF CHATHAM. The BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM shall not issue such permit for any construction, substantial improvement, or other development that does not structure, substantial improvement, or other development that does not comply with the provisions of this ordinance or that has been denied a permit required by the Federal or State law including Section 404 of the Federal Water Pollution Control Act, 1972, 33 U.S.C. 1334.

Section 6. Application.

- A. Within areas designated as A Zones each application for development shall be accompanied by elevations, in relation to Mean Sea Level, of the lowest habitable floor, including basement, and in the case of floodproofed structures, the elevations to which it will be floodproofed.
- B. The BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM shall require certification from a registered professional engineer or architect that floodproofing

methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood.

- C. The application shall also contain information or certification as reasonably may be required by the BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM in order to determine eligibility for permits or to enforce the terms of this ordinance.
- D. The Planning Commission shall review applications for permit and determine that the development activity would be reasonably safe from flood damage.

Section 7. Base Flood Elevation. The village council shall obtain, review, and reasonably utilize Base Flood Elevation data available from federal, state, or other sources until such time as such data has been received from the Federal Insurance Administration. Base flood data received from the Federal Insurance Administration shall take precedence over data from other sources.

Section 8. New construction and substantial improvement standards. All new construction and substantial improvements to structures located in an A Zone shall:

- A. For residential structures have the lowest floor, including basement, elevated to one (1) foot above the Base Flood Elevation.
- B. For non-residential structures have the lowest floor, including basement, elevated or floodproofed to one (1) foot above the Base Flood Elevation.
- C. Be designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure.

- D. Be constructed with materials and utility equipment resistant to flood damage.
- E. Be constructed by methods and practices that minimize flood damage to other properties.
- F. Have all structural components below the Base Flood Elevation designed to be watertight with walls substantially impermeable to the passage of water and such structural components shall be designed to resist hydrostatic and hydrodynamic loads and the effect of buoyancy.

Section 9. Mobile Home Standards.

- A. All mobile home parks and mobile home subdivisions located in an A Zone shall file evacuation plans indicating vehicular access and escape routes, including mobile home hauler routes with appropriate disaster preparedness authorities.
- B. All mobile homes to be placed on a site in an A Zone shall:
  - (I) Have the lowest floor elevated one (1) foot above the Base Flood Elevation.
  - (II) In the instance of elevation on pilings, have all piling foundations placed in stable soil no more than ten (10) feet apart, and reinforcement shall be provided for piers more than six (6) feet above ground.
  - (III) Have lots large enough to permit steps to the mobile home, and have adequate surface drainage on all sides of the structure.
  - (VI) Be placed to prevent flotation, collapse, or lateral movement of the structure due to flooding.
  - (V) Be anchored according to the following specifications:
    - a. over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations and mobile homes less than fifty (50) feet long shall require one additional ties per side;

- b. frame ties shall be provided at each corner of the mobile home with five (5) additional ties per side at intermediate points and mobile homes less than fifty (50) feet long shall require four (4) additional ties per side;
- c. all components of the anchoring system shall be capable of carrying four thousand eight hundred (4,800) pounds; and
- d. any additions to the mobile home shall be similarly anchored.

Section 10. Utility standards. All new construction and substantial improvements to utilities located in an A Zone shall provide that:

- A. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- B. All 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 the flood waters.
- C. All new and replacement on-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Section 11. Subdivision and other development standards. All subdivisions and other development located in an A Zone shall provide that:

- A. All subdivision and other development proposals shall be designed to minimize flood damage to the proposed subdivision or development site as well as to other properties.
- B. All public utilities and facilities, such as sewer, gas, electrical, and water systems shall be located, elevated, and constructed to minimize or eliminate flood damage.

- C. Adequate drainage shall be provided so as to reduce exposure to flood hazards.
- D. For any proposed subdivision or new development greater than fifty (50) lots of five (5) acres, whichever is the lesser, the applicant shall show the Base Flood Elevation data for each lot or platted parcel. Provided, that if the Base Flood Elevation data is not available the applicant shall compute and provide this information for each lot or platted parcel of a subdivision or new development proposal which is greater than fifty (50) lots or five (5) acres, whichever is lesser.

Section 12. Reserved.

Section 13. Watercourse standards. The BOARD OF TRUSTEES OF THE VILLAGE OF CHATHAM shall notify adjacent communities and the Illinois Department of Transportation, Division of Water Resources and the Federal Insurance Administration prior to any alteration or relocation of a watercourse. The flood carrying capacity within the altered or relocated portion of any watercourse shall be maintained.

Section 14. Reports and records.

- A. The Planning Commission shall provide the village council, the Illinois Department of Transportation, Division of Water Resources, and the Federal Insurance Administration with an annual report on forms as provided the village by the Federal Insurance Administration.
- B. The Planning Commission shall maintain the records of first flood elevations, floodproofing certifications, all variance documents required by Section 1910.6 (a) (5), and (6) of the Rules and Regulations of the National Flood Insurance Program, permit applications, and all other records required by the Federal Insurance Administration.

Section 15. Variances. Upon application and after fifteen (15) days notice of a public hearing, the village council may grant a variance of this ordinance subject to compliance with the provisions of Section 1910.6 (a) of the Rules and Regulations of the National Flood Insurance Programs and such other conditions as the village council deems necessary to comply with the intent of this ordinance.

Section 16. Disclaimer of liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood height may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of areas designated as an A Zone will be free from flooding or damage. This ordinance does not create liability on the part of the Village or any officer or employee thereof for any flood damage that results from reliance on this ordinance or any administrative decision made lawfully thereunder.

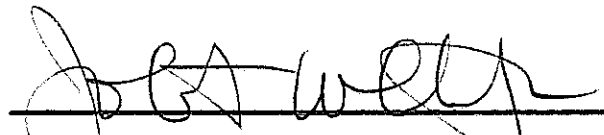
Section 17. Penalties for violation. Any person who violates this ordinance shall upon conviction thereof be fined not less than One Hundred Fifty (\$150) Dollars nor more than Five Hundred (\$500) Dollars and in addition, shall pay all costs and expenses involved in litigation. A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues.

Section 18. Separability. The provisions and sections of this ordinance shall be deemed separable, and the invalidity of any portion of this ordinance shall not effect the validity of the remainder.



Section 19. Effective date. This ordinance shall be in full force and effect from and after its passage and approval, as required by law.

PASSED June 6, 1978.  
APPROVED June 6, 1978.  
PUBLISHED June 9, 1978.

  
\_\_\_\_\_  
President, Board of Trustees of  
the Village of Chahtam

ATTEST:

  
\_\_\_\_\_  
Village Clerk