

ORDINANCE 3163

AN ORDINANCE AMENDING TITLE 17, CHAPTER 56, ARTICLE 10, SECTION 020, OF THE OFFICIAL CODE OF THE CITY OF GREAT FALLS (OCCGF), PERTAINING TO DEVELOPMENT REQUIREMENTS IN THE FLOOD FRINGE OR REGULATED FLOOD HAZARD AREA WITH NO FLOODWAY

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WHEREAS, it is the intent of the City Commission of the City of Great Falls to provide for and protect the health, safety, and welfare of the citizens of Great Falls; and,

WHEREAS, the Official Code of the City of Great Falls (OCCGF) is revised and refined, over time, to address changing local conditions and national trends that arise and affect the citizens of Great Falls; and,

WHEREAS, the amendment proposed to Title 17 shall comply with Federal and State Flood Plain Hazard Management Regulations, and the continued participation by the City of Great Falls in the National Flood Insurance Program; and,

WHEREAS, notice of amending the OCCGF was published in the *Great Falls Tribune*, advertising that a public hearing on these proposed amendments would be held on the 1st day of August 2017, before final passage of said Ordinance herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF GREAT FALLS, MONTANA, that:

Section 1. Title 17, Chapter 56, Article 10, Section 020 of the OCCGF pertaining to development requirements in the flood fringe or regulated flood hazard area with no floodway be amended as depicted in Exhibit "A" attached hereto and by reference incorporated herein, which removes any language indicated by a ~~strike-out~~ and adds any language which is **bolded**; and,

Section 2. This ordinance shall be in full force and effect thirty (30) days after second reading and final adoption by the City Commission.

APPROVED by the City Commission on first reading July 18, 2017.

ADOPTED by the City Commission of the City of Great Falls, Montana, on second reading August 1, 2017.

Bob Kelly, Mayor

ATTEST:

Lisa Kunz, City Clerk

(CITY SEAL)

APPROVED FOR LEGAL CONTENT:

Sara R. Sexe, City Attorney

State of Montana)
County of Cascade : ss
City of Great Falls)

I, Lisa Kunz, City Clerk of the City of Great Falls, Montana, do certify that I did post as required by law and as prescribed and directed by the Commission, Ordinance 3163 in three conspicuous places within the limits of said City to-wit:

- On the Bulletin Board, first floor, Civic Center Building;
- On the Bulletin Board, first floor, Cascade County Courthouse;
- On the Bulletin Board, Great Falls Public Library

Lisa Kunz, City Clerk

(CITY SEAL)

EXHIBIT "A"

Title 17 - LAND DEVELOPMENT CODE

Chapter 56 FLOODPLAIN OVERLAY DISTRICTS

Article 10 DEVELOPMENT REQUIREMENTS IN THE FLOOD FRINGE OR REGULATED FLOOD HAZARD AREA WITH NO FLOODWAY

Sections:

[17.56.10.020 General requirements.](#)

17.56.10.020 General requirements.

- A. **Base flood elevation.** The appropriate base flood elevation shall be determined by appropriate methods and utilized in the design and layout of the project, by an engineer, demonstrating the appropriate design and construction criteria herein are met. Regulated flood hazard areas that do not have computed and published base flood elevations in the adopted flood hazard study referenced in Article 4, Jurisdictional Area, the base flood elevation must be computed as well, utilizing appropriate engineering methods and analysis.
- B. **Flood damage.** Projects must be constructed by methods, and practices, that minimize flood damage and are reasonably safe from flooding.
- C. **Materials.** Structures ~~are~~ **shall be** reasonably safe from flooding and constructed with materials resistant to flood damage.
- D. **Structures or fill.** Structures or fill must not be prohibited by any other statute, regulation, ordinance, or resolution; and must be compatible with subdivision, zoning and any other land use regulations, if any.
- E. **Anchoring.** All construction, and substantial improvements, shall be designed and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- F. **Certification.** Certification by an engineer, architect, or other qualified person must accompany the application as to an encroachment analysis where required, adequacy of structural elevations, determination of the base flood elevation, flood-proofing, wet proofing, dry proofing, design, and construction to withstand the flood depths, hydrodynamic and hydrostatic pressures, velocities, impact, buoyancy, and uplift forces associated with the base flood. A certification is not intended to constitute a warranty or guarantee of performance, expressed or implied.
- G. **Access.** Structures must have safe access during times of flooding up to the base flood for ordinary and emergency services. ~~provided there are no reasonable alternate locations for structures.~~
 - 1. **In existing subdivisions and/or within developed areas within the jurisdiction where existing public streets are below the base flood elevation, and it is determined by the Director of Planning and Community Development to be impractical to comply with elevating the entire street route to the base flood elevation, the City may approve plat alterations, boundary line adjustments and permit road maintenance, and reconstruction and substantial improvements to the street, provided that the party proposing said work will ensure current and all future owners of all properties served by such streets provide effective surface drainage to minimize flood damage to structures upon said properties.**
- H. **Encroachment limit.** Allowable encroachment for developments in the regulated flood hazard area without a floodway, must be supported by an encroachment analysis and cannot exceed one-half (0.5) feet increase to the base flood elevation. An encroachment analysis is not required for any development, in the flood fringe, where an accompanying floodway has been designated within the regulated flood hazard area.

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Chapter 56 FLOODPLAIN OVERLAY DISTRICTS

I. **Electrical systems.**

1. All incoming power service equipment including all metering equipment, control centers, transformers, distribution and lighting panels, and all other stationary equipment must be located at least two (2) feet above the base flood elevation;
2. Portable and movable electrical equipment may be placed below the elevation of the base flood elevation, provided that the equipment can be disconnected by a single plug and socket assembly of the submersible type;
3. The main power service lines must have automatically operated electrical disconnect equipment, or manually operated electrical disconnect equipment, located at an accessible remote location outside the floodplain or two (2) feet above the base flood elevation; and
4. All electrical wiring systems, installed below the base flood elevation, must be suitable for continuous submergence and may not contain fibrous components.

J. **Heating and cooling systems.**

1. ~~Shall~~ **Be** installed with float operated automatic control valves so that fuel supply is automatically shut off when flood waters reach the floor level where located;
2. Have manually operated gate valves installed in gas supply lines. The gate valves must be operable from a location above the base flood elevation;
3. Be installed in accordance with the provisions of electrical systems flood proofing; and
4. Have furnaces and cooling units and ductwork installed at least two (2) feet above the base flood elevation.

K. **Plumbing systems.**

1. Sewer lines, except those to be buried and sealed, must have check valves installed to prevent sewage backup into permitted structures; and
2. All toilets, stools, sinks, urinals, vaults, and drains must be located so the lowest point of possible entry is at least two (2) feet above the base flood elevation.

L. **Structural fill.** Fill used to elevate structures, including but not limited to residential, commercial, and industrial structures must be suitable and meet the following requirements:

1. The filled area is at, or above, the base flood elevation and extends at least fifteen (15) feet beyond the structure in all directions;
2. The fill is compacted to minimize settlement and compacted to ninety-five (95) percent of the maximum density. Compaction of earthen fill must be certified by a registered professional engineer;
3. No portion of the fill is within the floodway;
4. The fill slope must not be steeper than one and one-half (1½) horizontal to one (1) vertical unless substantiating data, justifying a steeper slope, is provided and adequate erosion protection is provided for fill slopes exposed to floodwaters. The erosion protection for fill slopes exposed to velocities of four (4) feet per second and less may consist of vegetative cover consisting of grasses or similar undergrowth as approved by the permit issuing authority. Slopes exposed to velocities greater than four (4) feet per second shall be protected by armoring with stone or rock slope protection;
5. The fill must be a minimum of one-half (0.5) feet above the base flood elevation;

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Chapter 56 FLOODPLAIN OVERLAY DISTRICTS

6. No portion of the fill is in the estimated floodway if none has been designated; and
 7. Mitigation may be required for lost natural flood storage due to added fill.
- M. **Water and sewage systems.** All new construction, or substantial improvements, shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other services designed and located so as to prevent waters from entering or accumulating within the components during conditions of flooding or to prevent impairment or contamination during flooding.

(Ord. 3163, 2017; Ord. No. 3102, § 3(Attach. A), 3-5-2013)