

ORDINANCE NO. 4521

**AN ORDINANCE OF THE COUNTY OF VENTURA REPEALING AND REENACTING THE
VENTURA COUNTY FLOODPLAIN MANAGEMENT ORDINANCE**

The Board of Supervisors of the County of Ventura ordains as follows:

Article 1. Repeal of Existing Ventura County Floodplain Management Ordinance

Ordinance Nos. 3841, 3890, 3902, 3954 and 4465 are hereby repealed.

Article 2. Enactment of Ventura County Floodplain Management Ordinance

The Ventura County Floodplain Management Ordinance is hereby amended and reenacted as follows:

SECTION 1

PRELIMINARY MATTERS

1.1. AUTHORIZATION

This ordinance is enacted pursuant to the police power of the County of Ventura, granted by the People of the State of California through section 7 of article XI of the California Constitution, and in conformity with the general laws of the State.

1.2. FINDINGS

- A. The flood hazard areas of Ventura County are subject to flooding which may result 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.
- B. Such flood losses are caused by uses that are inadequately elevated, floodproofed, or protected from flood damage. The cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities also contributes to flood losses

1.3. PURPOSE

This ordinance is intended to meet the requirements of the National Flood Insurance Program. It is the purpose of this ordinance to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately owned land within flood prone, mudslide or flood related erosion areas. These regulations are designed to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; and streets and bridges located in areas of special flood hazard;

- F. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future blighted areas caused by flood damage;
- G. Ensure that potential buyers are notified that property is in an area of special flood hazard; and
- H. Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

1.4. METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes regulations to:

- A. 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 flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Control filling, grading, dredging, and other development which may increase flood damage; and
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards in other areas.

1.5. NAME

This ordinance shall be known and may be cited as the Ventura County Floodplain Management Ordinance.

SECTION 2.0

DEFINITIONS

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

“A Zone” - see **“special flood hazard area.”**

“Accessory structure” means a structure that is either:

1. Solely for the parking of no more than 2 cars; or
2. A shed for limited storage, less than 150 square feet and \$1,500 in value.

“Accessory use” means a use which is incidental and subordinate to the principal use of the parcel of land on which it is located.

“Alluvial fan” means a geomorphologic feature characterized by a cone or fan-shaped deposit of boulders, gravel, and fine sediments that have been eroded from mountain slopes, transported

by flood flows, and then deposited on the valley floors, and which is subject to flash flooding, high velocity flows, debris flows, erosion, sediment movement and deposition, and channel migration.

“Alluvial fan flooding” means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high velocity flows, active processes of erosion, sediment transport and deposition, and unpredictable flow paths.

“Apex” means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

“Area of shallow flooding” means a designated AO or AH Zone on the Flood Insurance Rate Map where the base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

“Area of special flood hazard” or **“special flood hazard area”** means an area in the floodplain subject to a one percent or greater chance of flooding in any given year. It is shown on the Flood Boundary and Floodway Map or Flood Insurance Rate Map as Zone A, AO, A1-A30, AE, A99, AH, V1-V30, VE or V.

“Base flood” means a flood which has a one percent chance of being equaled or exceeded in any given year (also called the “100-year flood”). Base flood is the term used throughout this ordinance.

“Base flood elevation” or **BFE** means the elevation shown on the Flood Insurance Rate Map for Zones AE, AH, A1-30, VE and V1-V30 that indicates the water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year.

“Basement” means any area of the building having its floor subgrade – i.e., below ground level – on all sides.

“Breakaway walls” are any type of walls, whether solid or lattice, and whether constructed of concrete, masonry, wood, metal, plastic or any other suitable building material which are not part of the structural support of the building and which are designed to break away under abnormally high tides or wave action without causing any damage to the structural integrity of the building on which they are used or any buildings to which they might be carried by flood waters. A breakaway wall shall have a safe design loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls must be certified by a registered engineer or architect and shall meet the following conditions:

1. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and
2. The elevated portion of the building shall not incur any structural damage due to the effects of wind and water loads acting simultaneously in the event of the base flood.

“Building” - see **“Structure.”**

“Coastal high hazard area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. It is an area subject to high velocity waters, including coastal and tidal inundation or tsunamis. The area is designated on a Flood Insurance Rate Map as Zone V1-V30, VE, or V.

“County” means the County of Ventura, a political subdivision of the State of California.

“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, excavation or drilling operations or storage of equipment or materials.

“Director” means the Director of the Ventura County Public Works Agency or his or her designated representative.

“Encroachment” means the advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain which may impede or alter the flow capacity of a floodplain.

“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 October 31, 1985.

“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,” “flooding” or “flood water” means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and/or mudslides (i.e., mudflows); and
2. The condition resulting from flood-related erosion.

“Flood Boundary and Floodway Map” or “FBFM” means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the floodway.

“Flood Insurance Rate Map or “FIRM” means the official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study” or “FIS” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.

“Floodplain or flood-prone area” means any land area susceptible to being inundated by water from any source - see **“flooding.”**

“Floodplain Administrator” is the County official designated by title to administer and enforce the floodplain management regulations, namely, the Director.

“Floodplain management” means the operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible,

natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations and open space plans.

"Floodplain management regulations" means this ordinance and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as grading and erosion control) and other application of police power which control development in flood-prone areas. This term describes federal, state or local regulations in any combination thereof which provide standards for preventing and reducing flood loss and damage.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. For guidelines on dry and wet floodproofing, see FEMA Technical Bulletins TB 1-93, TB 3-93, and TB 7-93.

"Floodway" or **"regulatory 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 prior to encroachment into the floodplain.

"Floodway fringe" is that area of the floodplain on either side of the regulatory floodway where encroachment may be permitted.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long-term storage or related manufacturing facilities.

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

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
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 by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

"Levee" means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding.

"Levee system" means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accord with sound engineering practices.

"Lowest floor" means the lowest floor of the lowest enclosed area, including basement (see **"Basement"**).

An unfinished or flood resistant enclosure below the lowest floor that is usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building's lowest floor provided it conforms to applicable non-elevation design requirements, including, but not limited to:

- a. The flood openings standards in **Section 5.1.C.3**;
- b. The anchoring standards in **Section 5.1.A**;
- c. The construction materials and methods standards in **Section 5.1.B**; and
- d. The standards for utilities in **Section 5.2**.

"Manufactured home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"Manufactured home park or subdivision" means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

"Market value," for the purposes of a structure, means the value determined by estimating the cost to replace the structure in new condition and adjusting that cost figure by the amount of depreciation which has accrued since the structure was constructed.

1. The cost of replacement of the structure shall be based on a square foot cost factor determined by reference to a building cost estimating guide recognized by the building construction industry.
2. The amount of depreciation shall be determined by taking into account the age and physical deterioration of the structure and functional obsolescence as approved by the Floodplain Administrator, but shall not include economic or other forms of external obsolescence.

Use of replacement costs or accrued depreciation factors different from those contained in recognized building cost estimating guides may be considered only if such factors are included in a report prepared by an independent professional appraiser and supported by a written explanation of the differences.

"Mean sea level" means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

"New construction," for floodplain management purposes, means structures for which the "start of construction" commenced on or after October 31, 1985, and includes any subsequent improvements to such structures.

"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 October 31, 1985.

"Obstruction" includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, channelization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water, or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

"One-hundred-year flood" or "100-year flood" - see **"base flood."**

"Primary frontal dune" means a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively mild slope.

"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.

"Regulatory floodway" – see **"floodway."**

"Remedy a violation" means to bring the structure or other development into compliance with state or local floodplain management regulations, or if this is not possible, to reduce the impacts of its noncompliance. Ways that impacts may be reduced include protecting the structure or other affected development from flood damages, implementing the enforcement provisions of this ordinance or otherwise deterring future similar violations, or reducing state or federal financial exposure with regard to the structure or other development.

"Riverine" means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

"Sand dunes" means naturally occurring accumulations of sand in ridges or mounds landward of the beach.

"Sheet flow area" - see **"area of shallow flooding."**

"Special flood hazard area" – see **"area of special flood hazard."**

"Start of construction," for the purposes of substantial improvements and other new development, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement or other improvement occurs within 180 days from the date the issuance of the permit. The actual start of construction

means either the first placement of permanent construction of a structure on a site, such as the pouring of a slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufacture 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 structure. 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; this includes a gas or liquid storage tank or a manufactured home.

“Substantial damage” means:

1. 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; or
2. Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. This is also known as “repetitive loss.”

“Substantial improvement” means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations or state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure's continued designation as a “historic structure.”

“V Zone” - see **“coastal high hazard area.”**

“Variance” means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

“Violation” means the failure of a structure or other development to be fully compliant with this ordinance. A structure or other development without the elevation certificate, other certifications or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

“Water surface elevation” means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, the North American Vertical Datum (NAVD) of 1988, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

“Watercourse” means a lake, river, creek, stream, wash, arroyo, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

SECTION 3.0

GENERAL PROVISIONS

3.1 LANDS TO WHICH THIS ORDINANCE APPLIES

This ordinance applies to all areas of special flood hazards within the unincorporated area of Ventura County.

3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in the “Flood Insurance Study for Ventura County, California (Unincorporated Areas)” dated October 31, 1985, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, and all subsequent amendments and/or revisions, are hereby adopted by reference and declared to be a part of this ordinance. This FIS and attendant mapping is the minimum area of applicability of this ordinance and may be supplemented by studies for other areas which allow implementation of this ordinance and which are recommended to the County Board of Supervisors by the Floodplain Administrator. The Director shall maintain the current FIS, FIRMs and FBFMs on file at the offices of the Public Works Agency at 800 South Victoria Avenue, Ventura, California, 93009.

3.3 ENFORCEMENT

- A. It is unlawful to construct, locate, extend, convert, alter, undertake or maintain any development without compliance with this ordinance, including any conditions of variances or permits issued pursuant to this ordinance. Such unlawful conduct shall constitute a violation of this ordinance and a misdemeanor. Each day a violation continues is a separate violation.
- B. Any development undertaken or maintained in violation of this ordinance, including any conditions of variances or permits issued pursuant to this ordinance, is hereby declare to be a public nuisance. The Director is authorized to abate such nuisances. The Director shall keep an account of the costs of abatement of the nuisance incurred by the County and shall mail a report of the costs of abatement to the owner of the property upon which the nuisance is or was located with a demand that the costs of abatement be paid. The owner of the property upon which the nuisance is or was located shall pay the costs of abatement within 60 days from the mailing of the report and demand.
- C. Nothing herein shall prevent the County from taking any lawful action to prevent or remedy a violation.

3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

3.5 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the County, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

3.6 FEES

A schedule of fees shall be adopted by resolution of the County Board of Supervisors. Such fees shall reimburse the County for costs incurred in processing permits, appeals, variances and other work in the enforcement and administration of this ordinance.

SECTION 4.0

ADMINISTRATION AND PERMITTING

4.1 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR

The Director is hereby designated the Floodplain Administrator. As such, the Director shall administer, implement, and enforce this ordinance and the County's commitments and responsibilities under Code of Federal Regulations, title 44, part 59, subpart B to obtain and maintain the County's eligibility for the National Flood Insurance Program. The duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, those enumerated in **Section 4.2**.

4.2 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR

A. Issuance of Floodplain Development Permits

The Floodplain Administrator shall review applications for floodplain development permits required by **Section 4.3**. The Floodplain Administrator shall issue a floodplain development permit if the Floodplain Administrator determines the application and development described in the application conform to the standards and requirements of this ordinance, including the following:

1. Permit requirements of this ordinance have been satisfied, including determination of substantial improvement and substantial damage of existing structures;
2. All other required state and federal permits have been obtained;
3. The site is reasonably safe from flooding;
4. The proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. This means that the cumulative effect of the proposed development when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood more than one foot at any point within the unincorporated area of Ventura County;
5. All Letters of Map Revision (LOMR's) for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on

Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow construction of the proposed flood control project and land preparation as specified in the "start of construction" definition; and

6. All applicable fees have been paid.

B. Development of Substantial Improvement and Substantial Damage Procedures

1. Using FEMA publication FEMA 213, "Answers to Questions About Substantially Damaged Buildings," the Floodplain Administrator shall develop detailed procedures for identifying and administering requirements for substantial improvement and substantial damage, to include determining "market value." Market value shall be determined through the use of appraisals and brokers' opinion letters as prepared by California licensed land appraisers and real estate brokers, respectively.
2. The Floodplain Administrator shall assure procedures are coordinated with other County departments/divisions and implemented by County staff.

C. Review, Use and Development of Other Base Flood Data

When base flood elevation data has not been provided in accordance with **Section 3.2**, the Floodplain Administrator shall obtain, review, and reasonably utilize any best available base flood elevation and floodway data from a federal or state agency, or other source, in order to administer **Section 5**. Any such information shall be submitted by the applicant to the County for consideration.

NOTE: A base flood elevation shall be obtained using one of two methods from the FEMA publication, FEMA 265, "Managing Floodplain Development in Approximate Zone A Areas – A Guide for Obtaining and Developing Base (100-year) Flood Elevations" dated July 1995.

D. Notification of Other Agencies.

1. Alteration or relocation of a watercourse. The Floodplain Administrator shall:
 - a. Notify adjacent communities and the California Department of Water Resources prior to alteration or relocation;
 - b. Submit evidence of such notification to the Federal Emergency Management Agency; and
 - c. Assure that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained.
2. Base flood elevation changes due to physical alterations. The Floodplain Administrator shall:
 - a. Within six months of information becoming available or project completion, whichever occurs first, submit or assure that the permit applicant submits technical or scientific data to FEMA for a Letter of Map Revision (LOMR).
 - b. Confirm that all LOMR's for flood control projects are approved prior to the issuance of building permits. Building permits must not be issued based on Conditional Letters of Map Revision (CLOMR's). Approved CLOMR's allow

construction of the proposed flood control project and land preparation as specified in the "start of construction" definition.

Such submissions are necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements are based on current data.

3. Changes in corporate boundaries:
The Floodplain Administrator shall notify FEMA in writing whenever the corporate boundaries have been modified by annexation or other means and include a copy of a map of the County clearly delineating the new corporate limits.
4. The Floodplain Administrator or his or her designated representatives shall participate regularly in Community Assistance Visitations conducted by the Federal Emergency Management Agency, to address floodplain development projects.

E. Documentation of Floodplain Development

The Floodplain Administrator shall obtain and maintain for public inspection and make available as needed the following:

1. Certification required by **Section 5.1.C.1 and Section 5.4** (lowest floor elevations);
2. Certification required by **Section 5.1.C.2** (elevation or floodproofing of nonresidential structures);
3. Certification required by **Sections 5.1.C.3** (wet floodproofing standard);
4. Certification of elevation required by **Section 5.3.A.3** (subdivisions and other proposed development standards);
5. Certification required by **Section 5.6.B** (floodway encroachments);
6. Information required by **Section 5.7.F** (coastal construction standards); and
7. Records of all variance actions, including justification for their issuance, which The Floodplain Administrator shall report in the biennial report submitted to the Federal Emergency Management Agency.

F. Map Determination

The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazards, where there appears to be a conflict between a mapped boundary and actual field conditions. The person contesting the location of the boundary may appeal that determination as provided in **Section 4.4**.

G. Remedial Action

The Floodplain Administrator shall take action to remedy violations of this ordinance as specified in **Section 3.3**.

H. Biennial Report

The Floodplain Administrator shall complete and submit biennial report to FEMA.