

ORDINANCE NO. 2018-07

ORDINANCE AMENDING CHAPTER 7, ARTICLE VII OF THE CODE OF ORDINANCES OF THE CITY OF OCEAN SPRINGS, MISSISSIPPI, REGARDING FLOOD DAMAGE PREVENTION

WHEREAS, the Mayor and Board of Aldermen of the City of Ocean Springs, Mississippi, did on or about the 7th day of February, 1984, adopt the Flood Damage Prevention Ordinance being Ordinance No. 1-1984; and

WHEREAS, said ordinance has been superseded by ordinance on multiple occasions, the most recent being on or about February 3, 2009; and

WHEREAS, the City of Ocean Springs now desires to amend the current Flood Damage Prevention Ordinance to ensure it is current with national building codes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Board of Alderman of the City of Ocean Springs, Mississippi, to-wit:

SECTION 1. That Chapter 7, Article VII, Division 1, Section 7-195 of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended to delete Subsection C from the definition of Substantial Improvement and will read as follows:

Substantial Improvement means any combination of repairs, reconstruction, rehabilitation, addition, or other improvement of a structure taking place during any ten year period, the cost of which equals or exceeds fifty percent of the market value of the structure before the "start of construction" or the improvement. This term includes structures which have incurred "repetitive loss" or "substantial damage," regardless of the actual repair work performed. For the purposes of this definition, an improvement occurs 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 apply to:

- a.) Any project for improvement of a building required to comply with existing health, sanitary, or safety code specifications which have been identified by the Building Official and which are solely necessary to assure safe living conditions, or;*
- b.) Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure."*

SECTION 2. That Chapter 7, Article VII, Division 3, Section 7-208, Subsections 5 and 11 of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended and will read as follows:

- 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, such facilities shall be located a minimum of eighteen (18) inches above the base flood elevation or eighteen (18) inches above the advisory base flood elevations, whichever is greater.

11) New construction and substantial improvement of any building shall have the lowest floor (including basement) located a minimum of eighteen (18) inches above the base flood elevation or eighteen (18) inches above the advisory base flood elevations, or at least eighteen (18) inches above the centerline of the designated street, unless the topography of the property does not allow for strict adherence as determined by the floodplain administrator whichever is greater.

SECTION 3. That Chapter 7, Article VII, Division 3, Section 7-209, Subsections 1, 2, and 7 of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended and will read as follows:

*(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 eighteen (18) inches above the base flood elevation or eighteen (18) inches above the advisory base flood elevations, whichever is greater; should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of floodwaters shall be provided in accordance with standards of subsection (3).*

*(2) **Nonresidential construction.** New construction or substantial improvement of any commercial, industrial, or nonresidential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than eighteen (18) inches above the base flood elevation or eighteen (18) inches above the advisory base flood elevations, whichever is greater; buildings located in A zones may be floodproofed in lieu of being elevated provided that all areas of the building below the base flood elevation (plus any community free board) 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 section 7-207(4). This section shall not apply to critical facilities.*

*(7) **Standards for manufactured homes and recreational vehicles.***

(a) All manufactured homes placed, or substantially improved, on individual lots or parcels, in existing manufactured home parks or subdivisions, in expansions to existing manufactured home parks or subdivisions, in new 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. Manufactured homes must be:

- 1. Elevated on a permanent foundation;*
- 2. Have its lowest floor elevated no lower than eighteen (18) inches above the level of the base flood elevation; and*
- 3. Be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.*

(b) All recreational vehicles placed on sites must either:

- 1. Be on site for fewer than one hundred eighty (180) consecutive days; or*
- 2. Be fully licensed and ready for highway use; or*
- 3. Must meet all the requirements for new construction, including anchoring and elevation requirements of subsection (5).*

(c) A recreational vehicle is ready for highway use if it is licensed and insured in accordance with the State of Mississippi motor vehicle regulations, 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 additions. All recreational vehicles, which are not self-propelled, must comply with FEMA Technical Bulletin "Guidelines for the Placement of Temporary Structures in Special Flood Hazard Areas."

(d) All aboveground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement.

SECTION 4. That Chapter 7, Article VII, Division 3, Section 7-211, Subsection 1 of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended and will read as follows:

(1) All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above either the base flood elevation plus eighteen (18) inches of freeboard or elevated eighteen (18) inches above the advisory base flood elevation, whichever is the greater. In zone AO/AH, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet plus at least eighteen (18) inches of freeboard above the highest adjacent grade.

SECTION 5. That Chapter 7, Article VII, Division 3, Section 7-211, Subsection 2 of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended and will read as follows:

(2) All new construction and substantial improvements of nonresidential structures shall:

(a) Have the lowest floor, including basement, elevated to or above either the base flood elevation plus eighteen (18) inches of freeboard or elevated eighteen (18) inches above the advisory base flood elevation, whichever is the greater. In zone AO/AH, if no flood depth is specified, the lowest floor, including basement, shall be elevated no less than two (2) feet plus at least eighteen (18) inches of freeboard above the highest adjacent grade; or

(b) Together with attendant utility and sanitary facilities the structure must be completely floodproofed either to the base flood elevation plus eighteen (18) inches of freeboard or elevated eighteen (18) inches above the advisory base flood elevation, whichever is the greater. In AO/AH zones, to or above the specified flood depth so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. Certification is required as stated in section 7-209(2).

SECTION 6. That Chapter 7, Article VII, Division 3, Section 7-214, Subsection 1(a) of the Code of Ordinances, City of Ocean Springs, Mississippi is hereby amended and will read as follows:

(a) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated eighteen (18) inches or more above the base flood level.

Any and all ordinances or parts thereof in conflict or inconsistent with any of the terms and provisions of this Ordinance are hereby repealed to such extent as they are so in conflict or inconsistent.

SECTION 7. It is hereby declared to be the intention of the Board of Aldermen that the actions, paragraphs, clauses and phrases of this ordinance, when adopted, are severable, and if any sections, paragraphs, clauses, sentences or provisions of this ordinance as adopted shall be

declared unconstitutional or otherwise invalid, same shall not affect any of the remaining sections, paragraphs, clauses and phrases of this ordinance.

SECTION 8. This Ordinance shall take effect in the manner prescribed by law.

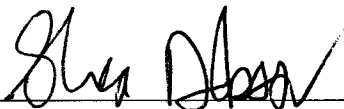
SECTION 9. That upon adoption, the City Clerk shall cause this Ordinance to be recorded in the Book of Ordinances of the City of Ocean Springs, Mississippi, and published in the manner prescribed by law.

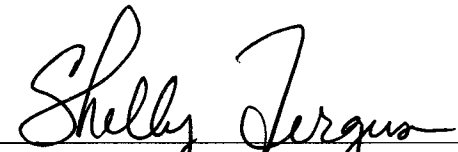
SECTION 10. The provisions of this Ordinance may be included and incorporated in the Code of Ordinances of the City of Ocean Springs, Mississippi, as an addition or amendment thereto, and appropriately renumbered to conform to the uniform numbering system of the Code.

The above Ordinance having been first reduced to writing, the vote was as follows:

Alderman Gill	<u>Aye</u>
Alderman Authement	<u>Aye</u>
Alderman Bellman	<u>Aye</u>
Alderman Papania	<u>Absent</u>
Alderman Blackman	<u>Aye</u>
Alderman Impey	<u>Aye</u>
Alderman Cox	<u>Aye</u>

BY THE ORDER OF THE MAYOR AND BOARD OF ALDERMAN of the City of Ocean Springs, Mississippi, on this the 20th day of March, 2018.


MAYOR


CITY CLERK