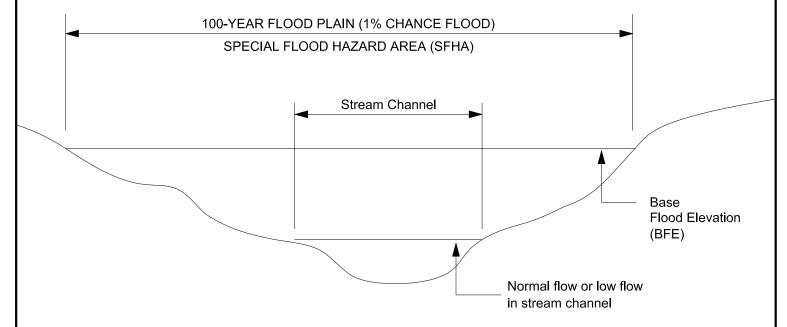
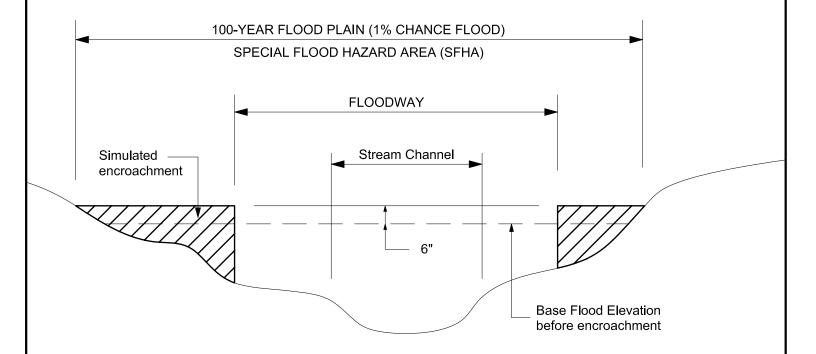
CITY OF LAKEWOOD FLOOD PLAIN MANAGEMENT ORDINANCE



FLOOD PLAIN LIMITS DEFINED BY THE AREA INUNDATED DURING THE 100-YEAR FLOOD



FLOODWAY LIMITS DEFINED BY SIMULATING ENCROACHMENT INTO FLOOD PLAIN UNTIL BASE FLOOD ELEVATION INCREASES SIX INCHES

CHAPTER 14.25 LAKEWOOD MUNICIPAL CODE

FLOOD PLAIN MANAGEMENT ORDINANCE Chapter 14.25 Lakewood Municipal Code

14.25.010 Title.

This Ordinance shall be known and may be cited as the "Flood Plain Management Ordinance of Lakewood, Colorado."

14.25.020 Purpose.

This Ordinance is enacted for the following purposes:

- A. To establish regulations to help minimize the extent of floods and the losses incurred in flood hazard areas.
- B. To promote the public health, safety and welfare.

14.25.030 Legislative Intent.

The intention of this Ordinance is:

- A. To permit only that development within the flood plain which is appropriate in light of the probability of flood damage.
- B. That the regulations in this Ordinance shall apply to all property located in the flood plain, as indicated in the Official Flood Studies for the City of Lakewood, as adopted by this Ordinance.
- C. That any use not permitted in the primary zone district shall not be permitted in the flood plain and any use as permitted in the primary zone district shall be permitted in the flood plain only upon meeting conditions and any requirements as prescribed by this Ordinance.

14.25.040 Definitions.

- A. As used within this Ordinance, except where otherwise specifically defined, or unless the context otherwise requires, the following terms, phrases, words and their derivatives shall have the following meanings:
 - 1. 100-year Flood: The flood having a one percent chance of occurrence in any given year.
 - 2. 100-year Flood Plain: The area of land susceptible to being inundated as a result of the occurrence of a 100-year flood.
 - 3. Addition: Any activity that expands the enclosed footprint or increases the square footage of an existing structure.
 - 4. Area of Shallow Flooding: Land designated as shallow, indeterminate flooding in the Official Flood Studies. No clearly defined channel exists and the path of flooding is unpredictable.
 - 5. Base Flood: Is synonymous with the 100-year flood and is the flood having a one percent chance of occurrence in any given year.

- 6. Base Flood Elevation (BFE): The water surface elevation of the 100-year flood as indicated on the Flood Insurance Rate Maps.
- 7. Basement: Any area of a building having its floor below ground level on all sides.
- 8. Chief Executive Officer: The City Manager of Lakewood, Colorado.
- 9. Conditional Letter of Map Revision (CLOMR): FEMA's comment on a proposed project, which does not revise an effective flood plain map, that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory flood plain.
- 10. Critical Facility or Critical Facilities: A structure or related infrastructure, but not the land on which it is situated, that if flooded may result in significant hazards to public health and safety or interrupt essential services and operations for the community at any time before, during and after a flood.
- 11. Development: For the purpose of Chapter 14.25 only, shall mean any manmade change to improved or unimproved real estate including but not limited to buildings, fences, or other structures, mining, dredging, filling, grading, paving or excavation operations, or storage of equipment or materials.
- 12. Equal Degree of Encroachment: A standard applied in determining the location of encroachment limits so that flood plain lands on both sides of a stream are capable of conveying a proportionate share of flood flows. This is determined by considering the effect of encroachment on the hydraulic efficiency of the flood plain along both sides of a stream for a significant reach.
- 13. Existing Manufactured Home Park or Manufactured Home Subdivision: A manufactured home park for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) are completed before the effective date of Flood Plain Management Regulations adopted by Lakewood, Colorado, July 21, 1972.
- 14. Expansion to an Existing Manufactured Home Park or Manufactured Home Subdivision: 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, either final site grading or pouring of concrete pads, or the construction of streets).
- 15. Federal Emergency Management Agency (FEMA): The agency responsible for administering the National Flood Insurance Program.

- 16. Flood Hazard Area: The area which would be inundated during the occurrence of the base flood or 100-year flood.
- 17. Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of water from channels and reservoir spillways, or the unusual and rapid accumulation or runoff of surface waters from any source.
- 18. Flood Insurance Rate Map (FIRM): An official map of a community on which FEMA has delineated both the flood hazard areas and the risk premium zones applicable to the community.
- 19. Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency containing the Flood Insurance Rate Map and flood profiles for studied flooding sources that can be used to determine base flood elevations for some areas.
- 20. Flood Plain or Flood Hazard Area: The area which would be inundated during the occurrence of the base flood or 100-year flood.
- 21. Flood Plain Administrator: The City official designated by the Chief Executive Officer to administer and enforce the Lakewood Flood Plain Management Ordinance.
- 22. Flood Plain Management: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and flood plain management regulations.
- 23. Flood Plain Management Regulations: Subdivision regulations, zoning regulations, building codes, health regulations, special purpose ordinances (such as grading ordinance or erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.
- 24. Flood proofing: 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.
- 25. Floodway: The channel of a gulch or other watercourse and the adjacent land areas that must be reserved in order to discharge the 100-year flood without cumulatively increasing the water surface elevation more than six inches (6") at any point.

- 26. Floodway Encroachment Lines: The lines marking the limits of floodways as tabulated in the Official Flood Studies.
- 27. Grade: For the purpose of Chapter 14.25 only, shall mean the lowest ground level adjacent to a foundation.
- 28. Historic Place or Historic Structure: Structure or place listed on the National Register of Historic Places or structure designated as historic by the Colorado State Historic Preservation Office or listed on a local inventory of historic places if the City of Lakewood has a historic preservation program certified by the Secretary of the Interior or the Colorado State Historic Preservation Office.
- 29. Letter of Map Revision (LOMR): An official revision to the currently effective FEMA Flood Insurance Rate Map and may include changes to flood zones, delineations, and elevations.
- 30.Letter of Map Revision Based on Fill (LOMR-F): FEMA's modification to the currently effective Flood Insurance Rate Map based on the placement of fill outside the existing regulatory floodway.
- 31.Levee: A manmade embankment, usually earthen, designed and constructed in accordance with sound engineering practices to control the flow of flood water. A levee is not channelization or the creation, enlargement or realignment of a stream channel.
- 32. Lowest Floor: The lowest floor of the lowest enclosed area (including basement) or any floor used for living purposes which includes working, storage, sleeping, cooking and eating, recreation or any combination thereof. This includes any floor that could be converted to such a use such as a basement. An unfinished or flood resistant enclosure, 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 that such enclosure is not built so as to render the structure in violation of the applicable elevation design requirements of this Ordinance.
- 33. Mean Sea Level: The average height of the sea for all stages of the tide. Mean sea level shall be used as the elevation datum in Lakewood, Colorado, for purposes of these regulations and shall include the North American Vertical Datum (NAVD) of 1988 for purposes of the National Flood Insurance Program, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.
- 34. Manufactured Home: 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 connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

- 35. Manufactured Home Park or Manufactured Home Subdivision: For the purpose of Chapter 14.25 only, shall mean a parcel or contiguous parcel(s) of land divided into two or more home lots for rent or sale for which the construction of facilities for servicing the lot on which the manufactured home is to be affixed (including at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) is commenced on or after the effective date of the Flood Plain Management Regulations adopted by Lakewood, Colorado, July 21, 1972.
- 36. National Flood Insurance Program (NFIP): FEMA's program of flood insurance coverage and flood plain management.
- 37. New Construction: Structures for which the start of construction commenced on or after the effective date of the Flood Plain Management Regulations adopted by Lakewood, Colorado, July 21, 1972.
- 38. Official Flood Studies: Official studies adopted by the City of Lakewood to determine the location, size and elevation of the flood plain and floodway. The studies adopted are enumerated in Section 14.25.050.
- 39. Person: Any individual or group of individuals, corporation, partnership, association, or any other entity, including state and local governments and agencies.
- 40. Reach: A hydraulic engineering term to describe longitudinal segments of a stream or river. In an urban area, an example of a reach would be the segment of a stream or gulch between two consecutive bridge crossings.
- 41. Recreational Vehicle: A vehicle, which is (a) built on a single chassis (b) 400 square feet or less when measured at the largest horizontal projections (c) designed to be self-propelled or permanently towable by a light duty truck and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- 42. Regulatory Flood Plain: The 100-year flood plain as contained in the Official Flood Studies adopted in Section 14.25.050.
- 43. Special Flood Hazard Area: Is synonymous with the 100-year flood plain and is the term used on the Flood Insurance Rate Map to delineate the 100-year flood plain.
- 44. Start of Construction: Includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the

installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Start of 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 and not part of the main structure.

- 45. Structure: For the purpose of Chapter 14.25 only, shall mean a walled and roofed building, including a manufactured home and a gas or liquid storage tank that is principally above ground.
- 46. Substantial Damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent of the market value of the structure just prior to when the damage occurred.
- 47. Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. 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 structure. The term does not, however, include either (1) 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 (2) any repair, reconstruction, rehabilitation or restoration of a historic structure as defined in this Chapter 14.25, provided the alteration does not affect the external dimensions of the structure and does not preclude the structure's continued designation as a historic structure.
- 48. Variance: A grant of relief by Lakewood, Colorado, from the terms of the Flood Plain Management Ordinance.
- 49. Violation: The failure of a structure or other development to be fully compliant with this Flood Plain Management Ordinance.
- 50. Water Surface Profile: A graphical representation showing the relationship between the vertical elevation of the top of the flood water and the streambed along the horizontal reach of the channel.

14.25.050 Adoption of Flood Insurance Study, Flood Insurance Rate Map and Official Flood Studies.

- A. There is hereby adopted the Flood Insurance Study for Jefferson County, Colorado and Incorporated Areas prepared by the Federal Emergency Management Agency, 2003 and amendments thereto, and the Flood Insurance Rate Map dated June 17, 2003 and amendments thereto, and the following studies and amendments thereto and all technical back-up information as the Official Flood Studies for Lakewood, Colorado. A copy of said map, studies and amendments are on file in the Department of Public Works and available for public inspection.
 - 1. Flood Hazard Area Delineation

Weir Gulch Tributaries

1st Avenue - Dakota Avenue

July, 1977

2. Major Drainageway Planning

Weir Gulch Tributaries

1st Avenue and Dakota Avenue

Depew Street Basin

July, 1978

Portions of this study are superseded by (20) below.

3. Major Drainageway Planning, Volume 2

Sanderson Gulch/Weir Gulch

August, 1972

Portions of this study are superseded by (4), (5) and (17) below.

4. Weir Gulch

Drainage Improvements Schedule III

South. Garrison Street to

Main Reservoir

January, 1977

5. Flood Hazard Area Delineation

Sanderson Gulch &

North Sanderson Gulch

August, 1979

Flood Hazard Area Delineation

Lakewood Gulch

February, 1979

7. Flood Hazard Area Delineation

McIntyre Gulch

October, 1977

8. Flood Hazard Area Delineation

Sloans Lake Basin

October, 1977

9. Flood Hazard Area Delineation

Green Mountain Area

April, 1978

10. Flood Hazard Area Delineation

South Lakewood Gulch July, 1977

11. Flood Hazard Area Delineation

Bear Creek December, 1979

12. Master Drainage Plan, Volume 2

Lena Gulch June, 1975

Portions of this study are superseded by (18) and (19) below.

13. Flood Hazard Area Delineation

Dry Gulch and Tributaries November, 1977

14. Flood Hazard Area Delineation

Henry's Lake Drainageway July, 1983

Portions of this study are superseded by (21) and (22) below.

15. Flood Hazard Area Delineation

Weaver Creek May, 1981

16. Flood Hazard Area Delineation

Dutch Creek, Lilley Gulch,

Coon Creek and Three Lakes Tributary May, 1978

17. Major Drainageway Planning

Upper Weir Gulch December, 1993

18. Flood Hazard Area Delineation

Upper Lena Gulch January, 1993

19. Major Drainageway Planning

Upper Lena Gulch March, 1994

20. Flood Plain Revisions

Depew Street Basin December, 1998

21. Outfall System Planning

Academy Park Tributary to Bear Creek July, 1999

22. Outfall System Planning

Pinehurst Tributary to Bear Creek December, 1999

23. Flood Hazard Area Delineation

Marston Lake North Drainageway July, 2012

- B. The official flood studies listed as 1 through 23 above and any amendments to the 2003 Flood Insurance Study are to be used in all cases for administration of this Ordinance.
- C. No provision in this Ordinance will be enforced based upon modified data reflecting natural or man-made physical changes without prior approval of the change in the documents by the City of Lakewood, the Urban Drainage and Flood Control District and the Federal Emergency Management Agency.

14.25.060 Applicability.

This Ordinance shall apply to all lands within Lakewood, Colorado.

14.25.070 Interpretation.

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall not be deemed a limitation or repeal of any other powers granted by Colorado State Statutes.

14.25.080 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 flood heights may be increased by manmade or natural causes, such as bridge openings restricted by debris. This Ordinance does not imply that areas outside the flood plain will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of Lakewood or any officer or employee thereof or the Federal Emergency Management Agency for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

14.25.090 Flood Plain Administrator.

This Ordinance shall be administered and enforced by the Flood Plain Administrator, who shall be the Chief Executive Officer or his/her appointed designee. When base flood elevation data has not been provided by FEMA in a Flood Insurance Study or in a Flood Insurance Rate Map, the Flood Plain Administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source, as criteria for requiring that new construction, substantial improvements, or other development meet the requirements of this Ordinance.

14.25.100 Rules for Determining the exact Boundaries of the Flood Plain and Floodway.

The boundaries of the flood plain and the floodway shall be determined from information presented in the Official Flood Studies. In the absence of other information, boundaries shall be determined by scaling distances on the map. Where interpretation is needed as to the exact location of the boundaries, the Flood Plain Administrator shall make the necessary interpretation. In all cases, the base flood elevation of the 100-year flood shall be the governing factor in locating the flood plain boundary on any property.

14.25.110 Establishment of Regulatory Flood Plain and Floodway.

There is hereby established regulatory flood plains and floodways whose boundaries are those of the designated 100-year flood plain and the designated floodway respectively, as shown or tabulated in the Official Flood Studies adopted in Section 14.25.050. The flood plain includes the floodway.

14.25.120 Fees.

- A. The City Manager shall establish fees as necessary for any permit, process, appeal procedure or other action relating to this Ordinance.
- B. Upon written application to the City Manager, the City Manager may waive or reduce said fees if such action will further the economic goals of the City as set forth in the Lakewood Municipal Code.

14.25.130 Flood Plain Regulations.

- A. Unless modified by other parts of this Ordinance, the following general Flood Plain Regulations shall be in force:
 - 1. In areas of shallow indeterminate flooding:
 - a. All new construction and substantial improvements of nonresidential and residential structures shall have the lowest floor, including basement, and electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities including ductwork, elevated above the highest adjacent grade at least one foot (1') above the depth number specified in feet on the FIRM, or at least three feet (3') if no depth number is specified, or one foot (1') above the crown of the nearest street, whichever is higher.
 - b. As an alternative for nonresidential structures only, the structure, including utility and sanitary facilities, can be completely flood-proofed to the level mentioned above. The walls and basement floor shall be completely waterproofed and they shall be built to withstand lateral and uplift water pressure.
 - c. Adequate drainage paths around structures proposed on slopes are required to guide flood waters around and away from the structures.
 - 2. In flood plain areas in which the 100-year base flood elevations are known:
 - a. All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, and electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities including ductwork, elevated one foot (1') above the 100-year base flood elevation as indicated in the Official Flood Studies.
 - b. As an alternative for nonresidential structures only, the structure, including utility and sanitary facilities, can be completely flood-proofed one foot (1') above the 100-year base flood elevation as indicated in the Official Flood

Studies. The walls and basement floor shall be completely waterproofed and they shall be built to withstand lateral and uplift water pressure.

- 3. When flood-proofing is used for nonresidential structures, a registered professional engineer or licensed architect shall certify that the flood-proofing methods are adequate to withstand the flood pressures, velocities, impact and uplift forces, and other factors caused by the 100-year flood. A record of this certification shall be maintained on file with the building permit by the Building Official. The elevation to which the structure is flood-proofed (based on sea level) shall be attached to the certification.
- 4. In areas previously designated as flood hazard areas and removed from the regulatory flood plain by a Letter of Map Revision based on Fill (LOMR-F), all new construction and substantial improvements of residential and non-residential structures shall have the lowest floor, including basement, and electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities including ductwork, elevated one foot (1') above the 100-year base flood elevation as it existed prior to the placement of fill. As an alternative for nonresidential structures only, the structure, including utility and sanitary facilities, can be completely flood-proofed to one foot (1') above the 100-year base flood elevation as it existed prior to the placement of fill.
- 5. The use of levees for property protection, flood control and flood hazard mitigation shall not be considered unless other mitigation alternatives are not viable. A levee may provide some level of flood protection for existing development, but the regulatory flood plain will not be modified based on the levee. Levees shall under no circumstances be constructed for the primary purpose of removing undeveloped lands from mapped flood plain areas for the purpose of developing those lands.
- 6. All new individual manufactured homes, new manufactured home parks, expansions of existing manufactured home parks, and manufactured home parks where the repair, reconstruction or improvements of the streets, utilities and pads equal or exceed fifty (50) percent of their value before the repair, reconstruction or improvement was commenced, are to be placed or substantially improved and be elevated on a permanent foundation such that the lowest floor of the manufactured home, electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities including ductwork, are one foot (1') above the 100-year base flood elevations as indicated in the Official Flood Studies, provide adequate surface drainage, be securely anchored to an adequately anchored foundation system in accordance with this Ordinance, and access for a hauler be provided. When manufactured homes are put on pilings, the lot must be large enough to have steps up to the manufactured home. The pilings must be reinforced if they are more than six feet (6') high and they must be placed in stable soil on ten-foot (10') centers or less.

- 7. Individual building permits shall be required for the placement of any manufactured homes anywhere in the flood plain.
- 8. All manufactured homes placed or substantially improved after the effective date of these regulations in the 100-year flood plain shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist 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. There shall be top ties at each corner with one (1) mid-point tie on each side of manufactured homes shorter than fifty feet (50'). Longer manufactured homes shall have two (2) ties at intermediate points on each side. All parts of the anchoring system shall have a strength of 4,800 pounds. Additions to manufactured homes shall be anchored in the same way.
- Recreational Vehicles shall either (a) be on the site for fewer than 180 consecutive days, (b) be fully licensed and ready for highway use, or (c) meet the permit requirements and elevation and anchoring requirements for manufactured homes.
- 10. All land development proposals shall follow the guidelines for drainage studies outlined in the Engineering Regulations, Construction Specifications, and Design Standards adopted by the City Council of Lakewood, Colorado.
- B. The City of Lakewood will review all proposed development in the flood plain to verify appropriate permits have been obtained and to ensure compliance with Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 USC 1334.

C. The City of Lakewood will:

- 1. Require flood plain development permits for all new development and other activities such as filling, paving and dredging in the flood plain. The Flood Plain Administrator may require any information necessary to ensure the provisions of this Ordinance are met before the issuance of a flood plain development permit.
- 2. Require building permits for structures in the flood plain according to the adopted building code and this Ordinance.
- 3. Review all building permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood hazard area, all new construction and substantial improvements (including the placement of prefabricated buildings and manufactured homes) shall be:

- a. designed or modified and adequately anchored to prevent flotation, collapse, or lateral movement of the structure, resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy,
- b. constructed with materials and utility equipment resistant to flood damage,
- c. constructed by methods and practices that minimize flood damage, and
- d. constructed with electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- 4. Require every builder or developer to submit an elevation certificate from a registered land surveyor listing the lowest floor (including basement) of new and substantially improved structures within the 100-year flood plain.
- 5. Require that for all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall:
 - a. have the interior grade elevation that is below base flood elevation no lower than two feet (2') below the lowest adjacent exterior grade,
 - b. have the height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the foundation wall, not exceed four feet (4') at any point,
 - c. have an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace following a flood,
 - d. be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads,
 - e. be constructed with materials and utility equipment resistant to flood damage,
 - f. be constructed using methods and practices that minimize flood damage,
 - g. be constructed with electrical, heating, ventilation, plumbing, air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding, and
 - h. be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or licensed architect or must meet or exceed the following minimum criteria:

- A minimum of two (2) openings having a total net area of not less than one
 square inch for every square foot of enclosed area subject to flooding shall be provided.
- (2) The bottom of all openings shall be no higher than one foot (1') above the exterior grade.
- (3) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- 6. Review subdivision proposals and other proposed new development (including proposals for manufactured home parks and subdivisions) to determine whether such proposals will be reasonably safe from flooding. The proposals shall include base flood elevation data submitted with subdivision proposals and other proposed developments greater than fifty (50) lots or five (5) acres, whichever is less. If a subdivision proposal or other proposed new development is in a flood hazard area, any such proposals shall be reviewed to assure that:
 - a. all such proposals are consistent with the need to minimize flood damage within the flood hazard area, and
 - no new lots are created in residential zone districts that are bisected by the main channel of a drainageway such that the lot contains property on both sides of the channel, and
 - all public utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage, and
 - d. adequate drainage is provided to reduce exposure to flood hazards.

7. Require within flood hazard areas:

- a. new and replacement water supply systems to be designed to minimize or eliminate infiltration of flood waters into the systems, and
- b. new and replacement sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters, and
- c. on-site waste disposal systems to be located to avoid impairment to them or contamination from them during flooding, and

d. the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than six inches (6") at any point.

14.25.140 Floodway Regulations.

- A. There shall never be encroachment of fill, new construction, substantial improvements or any other development within or above the floodway unless allowed as a Permitted Use in the Floodway or a Floodway Use Permit has been issued under the conditions of Section 14.25.150. Prior to any encroachment of fill, new construction, substantial improvements or other development, it must be demonstrated through hydrologic and hydraulic analysis performed by a licensed Colorado Professional Engineer and in accordance with standard engineering practice that the proposed encroachment would not result in any increase in the base flood elevation during the 100-year flood. Encroachments may be allowed that would increase the base flood elevation if a CLOMR has been issued by FEMA prior to the encroachment.
 - 1. Permitted Uses in the Floodway: The following uses shall be permitted within the floodway to the extent that they are otherwise permitted by the Zoning Ordinance.
 - General farming, pasture, outdoor plant nurseries not involving structures, horticulture, forestry, wildlife sanctuary, game farm, and other similar agricultural, wildlife and related uses.
 - b. Loading areas, parking areas and other similar uses provided they are no closer than ten feet (10') to the stream bank. Signs 18" x 24" shall be posted listing the depth of water in a base flood. Where interpretation is needed as to the exact location of the stream bank, the Flood Plain Administrator shall make the interpretation.
 - c. Lawns, gardens, play areas not involving structures, and other similar uses.
 - d. Portions of golf courses, driving ranges, archery ranges, picnic grounds, parks, hiking or horseback riding trails, open space, and other similar private and public recreational uses not involving structures.
 - Streets, railroads, overhead utility lines, creek and storm drainage facilities, sewage or waste treatment plant outlets, water supply intake structures and other similar public, community or utility uses.
 - f. Boat docks, ramps, piers for publicly owned structures or similar structures.
 - g. Dams, provided they are constructed in accordance with regulations of the Department of Public Works, and other federal and state agencies.

- h. Pedestrian facilities, including bike paths, pedestrian paths, railings and bridges, that (1) are owned and maintained by a public entity and open to general public use, (2) are within a public drainage and pedestrian easement, and (3) do not increase the 100-year base flood elevation. Bridge abutments shall be outside the horizontal limits of the 100-year flood plain and the lowest member of the bridge span shall be a minimum of one foot (1') above the 100-year base flood elevation.
- 2. Uses prohibited in or above the floodway.
 - a. All fill, encroachments, new construction, any artificial obstruction, substantial improvements of existing structures or other development unless a Floodway Use Permit is obtained.
 - b. Any portion of a new manufactured home park, any expansion to an existing manufactured home park, or any new manufactured home not in an existing manufactured home park.

14.25.150 Floodway Use Permits.

- A. The following uses may be permitted within a floodway upon approval of a Floodway Use Permit to the extent that they are otherwise allowed by the Zoning Ordinance:
 - Any use or accessory use employing a structure; however, no structure which is designed for human habitation shall ever be allowed under any conditions in or above the floodway.
 - 2. Parking, loading areas and other similar uses when located less than ten feet (10') from the stream bank. If a Floodway Use Permit is granted, 18" x 24" signs shall be posted listing depth of water in a base flood. Where interpretation is needed as to the exact location of the stream bank, the Flood Plain Administrator shall make the interpretation.
 - 3. Privately-owned pedestrian or vehicular bridges not meeting the criteria for a permitted use outlined in Section 14.25.140.
 - 4. Other uses similar in nature to those listed in items (1) through (3) above.
- B. Uses listed in this Ordinance as requiring a Floodway Use Permit may be established only after approval of a Floodway Use Permit by the Flood Plain Administrator.

- C. Standards relating to Floodway Use Permits in the floodway.
 - 1. The base flood elevation (or flood protection elevation) is the water level for the 100-year flood assuming only that encroachment on the flood plain that existed when each Official Flood Study was adopted. Additional and complete encroachment to the floodway encroachment lines will cause the water level to surcharge six inches (6") described above, assuming future complete encroachment to the floodway lines will occur. Consideration of the effects of a proposed use shall be based on a reasonable assumption that there will be an equal degree of encroachment extending for a significant reach on both sides of the stream. If the floodway is delineated in any of the Official Flood Studies, no further encroachment will be allowed unless the encroachment meets the provisions of this Ordinance.
 - 2. Maintaining an unobstructed floodway capable of carrying the 100-year flood without surcharging water levels more than six inches (6") at any point is an integral purpose of this Ordinance. As such, special conditions apply to Floodway Use Permits as follows:
 - a. Any fill proposed to be deposited in the floodway must be shown to have some beneficial purpose and the amount placed shall not be greater than necessary to achieve the purpose demonstrated on a plan submitted by the applicant. Any fill or other materials shall be protected against erosion.
 - b. Structures. Under no conditions shall structures in or above the floodway ever be designed for human habitation. Structures shall have a low flood damage potential and shall be constructed and located on the building site in a manner which minimizes obstruction of the flow of floodwaters. Whenever possible, structures shall be placed with the longitudinal axis of the structure parallel to the direction of the flood flow and structures shall be placed approximately on the same flood flow line as other adjacent structures. All structures shall have the lowest floor, including basement, elevated one foot (1') above the 100-year base flood elevation as indicated in the Official Flood Studies or together with attendant utility and sanitary facilities, shall be flood-proofed one foot (1') above the 100-year base flood elevation as indicated in the Official Flood Studies. A registered professional engineer or licensed architect shall certify that the flood-proofing methods are adequate to withstand the flood pressures, velocities, impact and uplift forces and other factors caused by the 100-year flood.
 - c. Any structure allowed by a Floodway Use Permit shall be firmly anchored to prevent flotation, collapse or a lateral movement of the structure which may result in damage to other structures, restrictions of bridge openings or restrictions of narrow sections of the stream or river.

d. The storage or processing of materials that are buoyant, flammable, explosive or could be injurious to human, animal, or plant life during times of flooding is prohibited under all conditions; however, storage of other materials or equipment may be allowed if not subject to major damage by floods and if firmly anchored to prevent flotation or if readily removable from the area within the time available after flood warning.

D. Application for Floodway Use Permit.

- 1. Applications for Floodway Use Permits shall be considered by the Flood Plain Administrator.
- 2. The applicant shall submit application forms together with four sets of plans drawn to scale, showing the nature, location, dimensions and elevation of the lot, existing or proposed structures, fill, storage of materials, flood-proofing measures, and the relationship of the above to the location of the channel, floodway and 100-year base flood elevation as indicated in the Official Flood Studies. The applicant shall furnish the following additional information for the evaluation of the effects of the proposed use upon flood flows:
 - a. Hydrologic and hydraulic analyses performed by a licensed Colorado Professional Engineer and in accordance with standard engineering practice, including profiles showing the slope of the bottom and top bank of the existing channel, existing 100-year water surface profile, slope of the bottom and top bank of the proposed channel and the proposed 100-year water surface elevation.
 - b. Typical cross-sections showing the channel of the drainageway, elevation of land areas adjoining each side of the channel, cross-sectional areas to be occupied by the proposed development, and high water information.
 - c. Plan view showing elevations or contours of the ground; pertinent structures, fill, or storage elevations; size, location and special arrangement of all proposed and existing structures on the site; location and elevations of streets, water supply, sanitary facilities, photographs showing existing land uses and vegetation upstream, soil types, flood plain and floodway boundaries, and other pertinent information.
 - d. Specifications for building construction and materials, flood-proofing, filling, dredging, grading, channel improvements, storage of materials, water supply, and sanitary facilities.
 - e. Additional information as may be required.

- 3. In making a determination on an application for a Floodway Use Permit, the Flood Plain Administrator shall determine the specific flood hazard at the site and shall evaluate the suitability of the proposed use in relation to the flood hazard. The application shall be submitted to the Urban Drainage and Flood Control District for review and a recommendation to the Flood Plain Administrator. In addition, the Flood Plain Administrator shall consider the following factors, although not limited to such factors.
 - (a) The probability that materials may be swept onto other lands or downstream 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 to the individual owner.
 - (d) The importance of the services provided by the proposed facility to the community.
 - (e) The availability of alternative locations not subject to flooding for the proposed use.
 - (f) The compatibility of the proposed use with the existing and anticipated development.
 - (g) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area.
 - (h) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (i) The expected heights, velocity, duration, rate of rise and sediment and debris transport of the floodwaters expected at the site.
 - (j) 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, water systems, streets and bridges.
 - (k) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- E. Appeal of the Flood Plain Administrator's Decision.
 - 1. The applicant may appeal the Flood Plain Administrator's decision on a Floodway Use Permit to the Planning Commission.

- 2. A written appeal, outlining the reasons for the appeal, shall be submitted to the Secretary to the Planning Commission within 30 days of the Flood Plain Administrator's decision. The appeal application shall include all items listed in Section 14.25.150 and any other additional information as may be required.
- 3. The Planning Commission shall conduct a public hearing within 30 days of receipt of a complete application, or within a timeframe agreed upon by the applicant and Flood Plain Administrator. Notification shall be consistent with the Planning Commission public hearing notification requirements of the Zoning Ordinance.
- 4. The Planning Commission shall determine whether the decision of the Flood Plain Administrator is consistent with this Ordinance. The Planning Commission shall affirm, modify, or reverse the decision of the Flood Plain Administrator. Any decision of the Planning Commission shall include reasons for affirming, modifying, or reversing the Flood Plain Administrator's decision.
- 5. Any decision of the Planning Commission on review of an appeal of the Flood Plain Administrator's decision may be appealed to Jefferson County District Court.

14.25.160 Critical Facilities.

- A. Classification. Critical Facilities are classified under the following categories: (1) Facilities Providing Essential Services; (2) Hazardous Materials Facilities (3) Facilities Serving At-risk Populations; and (4) Facilities Vital to Restoring Normal Services.
 - 1. Facilities Providing Essential Services include:
 - a. Public safety facilities (police stations, fire and rescue stations, emergency vehicle and equipment storage, and emergency operation centers);
 - b. Emergency medical facilities (hospitals, ambulance service centers, urgent care centers having emergency treatment functions, and non-ambulatory surgical facilities but excluding clinics, doctor offices and non-urgent care centers that do not provide these functions);
 - c. Designated emergency shelters:
 - d. Communication facilities (main hubs for telephone, broadcasting equipment for cable systems, satellite dish systems, cellular systems, television, radio, and other emergency warning systems, but excluding towers, poles, lines, cables and conduits);
 - e. Public utility plant facilities for generation and distribution (hubs, treatment plants, substations and pumping stations for water, power and gas, but not including towers, poles, power lines, buried pipelines, transmission lines, distribution lines, and service lines); and
 - f. Air transportation lifelines (municipal and larger airports, helicopter pads and structures serving emergency function, and associated infrastructure such as

- control towers, air traffic control centers, and emergency equipment aircraft hangers).
- g. Specific exemptions to this category include wastewater treatment plants, non-potable water treatment and distribution system, and hydroelectric power generating plants and related appurtenances.
- h. Public utility plant facilities may be exempted if it is demonstrated to the satisfaction of the Flood Plain Administrator that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same utility or available through an intergovernmental agreement or other contract) and connected, the alternative facilities are located outside of the 100-year flood plain, and an operations plan is in effect that states how redundant systems will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided on an as-need basis upon request.

2. Hazardous Materials Facilities include:

- a. Chemical plants and pharmaceutical manufacturing plants,
- b. Laboratories containing highly volatile, flammable, explosive, toxic and/or water-reactive materials;
- c. Refineries:
- d. Hazardous waste storage and disposal sites; and
- e. Above-ground gasoline or propane storage or sales centers.
- f. Hazardous materials facilities shall be determined to be critical facilities if they produce or store materials in excess of threshold limits. If the owner of the facility is required by the Occupational Safety and Health Administration to keep a Material Safety Data Sheet on file for any chemicals stored or used in the work place, AND the chemical(s) is stored in quantities equal to or greater than the Threshold Planning Quantity (TPQ) for that chemical, then the facility shall be considered to be a critical facility. The TPQ for these chemicals is either 500 pounds or the TPQ listed (whichever is lower) for the 356 chemicals listed under 40 C.F.R,§ 302 (2010), also known as Extremely Hazardous Substances; or 10,000 pounds for any other chemical. This threshold is consistent with the requirements for reportable chemicals established by the Colorado Department of Public Health and Environment.

g. Specific exemptions to this category include:

- Finished consumer products within retail centers and households containing hazardous materials intended for household use, and agricultural products intended for agricultural use;
- Structures containing hazardous materials for which it can be demonstrated to the satisfaction of the Lakewood Hazardous Materials Coordinator and certification by a qualified professional that a release of the subject hazardous material does not pose a major threat to the public.

- 3. Pharmaceutical sales, use, storage, and distribution centers that do not manufacture pharmaceutical products.
- 4. These exemptions shall not apply to structures that also function as critical facilities under another category outlined in this Ordinance.
- 3. Facilities Serving At-risk Populations include:
 - a. Elder care (nursing homes);
 - b. Congregate care serving 12 or more individuals (day care and assisted living);
 - c. Public and private schools (pre-schools, K-12 schools, before-school and after-school care serving 12 or more children).
- 4. Facilities Vital to Restoring Normal Services include:
 - Essential government operations (public records, courts, jails, permitting and inspection services, community administration and management, maintenance and equipment centers);
 - b. Essential services for public colleges and universities (dormitories, offices, and classrooms only).
 - c. These facilities maybe exempted if it is demonstrated to the satisfaction of the Flood Plain Administrator that the facility is an element of a redundant system for which service will not be interrupted during a flood. At a minimum, it shall be demonstrated that redundant facilities are available (either owned by the same entity or available through an intergovernmental agreement or other contract), the alternative facilities are either located outside of the 100-year flood plain, and an operations plan is in effect that states how redundant facilities will provide service to the affected area in the event of a flood. Evidence of ongoing redundancy shall be provided on an as-needed basis upon request.
- B. Identification of Critical Facilities. All structures that clearly meet the intent of the classification criteria shall be deemed critical facilities. For those structures for which it is unclear or otherwise ambiguous if the criteria are met, the Flood Plain Administrator shall have the sole discretion to determine if the structure is a critical facility. Critical facilities that are also designated as historic structures as defined by this Chapter 14.25 are exempt from the requirements imposed for critical facilities.
- C. Protection of Critical Facilities. All new and substantially improved critical facilities and new additions to critical facilities located within the special flood hazard area shall have the lowest floor, including basement, together with the attendant utility and sanitary facilities, elevated two feet above the 100-year flood level as indicated in the Official Flood Studies.
- D. Ingress and Egress to New Critical Facilities. New critical facilities shall, when practicable as determined by the Flood Plain Administrator, have continuous non-inundated access (ingress and egress for evacuation and emergency services) during a 100-year flood event.

- 14.25.170 Procedures for Modifying the Official Flood Studies and the Flood Insurance Rate Map.
- A. The 100-year base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. Before completion or occupancy of a development or within six months of the date that such information becomes available, whichever is sooner, notification shall be made to FEMA by submitting technical or scientific data indicating that the Official Flood Studies and the Flood Insurance Rate Map do not accurately reflect flood risks as they currently exist. When required by current FEMA regulations, a Conditional Letter of Map Revision (CLOMR) must be received before approval of construction plans that outline such changes. A Letter of Map Revision (LOMR) must be issued by FEMA, and delineation of new flood plain boundaries and floodways shall be found acceptable by the Urban Drainage and Flood Control District and the City of Lakewood before completion or occupancy of a development.
- B. The City of Lakewood shall notify adjacent communities, the Urban Drainage and Flood Control District, and the Colorado Water Conservation Board prior to any alteration or relocation of a watercourse. Evidence of such notification shall be sent to FEMA. This notice will certify that the flood carrying capacity within the altered or relocated portion of the watercourse has been maintained.

14.25.180 Non-conforming Structures.

- A. A structure which was lawful before becoming subject to this Ordinance, but which is not in conformity with the provisions of this Ordinance may be continued subject to the following conditions:
 - 1. Such structure shall not be expanded, changed, enlarged or altered in a way which increases its non-conformity.
 - 2. If any non-conforming structure is substantially damaged by any means, including floods, to the extent that the cost of restoration would equal or exceed fifty (50) percent of the market value of the structure before the structure was damaged, the following regulations shall apply:
 - a. If the non-conforming structure is in the floodway, the structure may be rebuilt; however, it shall not be expanded, changed, enlarged or altered in any way which would create an obstruction to water flow greater than that which existed before damage to the structure occurred. Upon reconstruction, nonresidential and residential structures shall be elevated one foot (1') above the 100-year base flood elevation, or two feet (2') for critical facilities, as indicated in the Official Flood Studies. As an alternative, nonresidential facilities can be completely flood-proofed one foot (1') above the 100-year base flood elevation, or two feet (2') for critical facilities, as indicated in the Official Flood Studies. The walls and basement floor shall be completely

- waterproofed and they shall be built to withstand lateral and uplift water pressure.
- b. If the structure is located in the flood plain outside the floodway, it may be reconstructed provided nonresidential and residential structures are elevated one foot (1') above the 100-year base flood elevation, or two feet (2') for critical facilities as indicated in the Official Flood Studies. As an alternative for nonresidential structures only, the structure, including utility and sanitary facilities, can be completely flood-proofed one foot (1') above the 100-year base flood elevation, or two feet (2') for critical facilities, as indicated in the Official Flood Studies. The walls and basement floor shall be completely waterproofed and they shall be built to withstand lateral and uplift water pressure.
- c. If any manufactured home located in the flood plain area is substantially damaged by any means such that the cost of restoration would exceed fifty (50) percent of the market value of the structure prior to damage; then such manufactured home shall not be rebuilt if it is located in the floodway and if it is located in the flood plain outside of the floodway, it shall be rebuilt in conformance with this Ordinance.

14.25.190 Variances.

- A. For purposes of this Chapter 14.25, the following provisions shall govern the granting of variances.
 - 1. The Lakewood Board of Adjustment shall interpret this Ordinance and shall judge where variances from the provisions of this Ordinance may be granted.
 - 2. Administrative Review. Except for appeals of the Flood Plain Administrator's decision regarding Floodway Use Permits, the Board of Adjustment shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Flood Plain Administrator in the enforcement or administration of this Ordinance. Those aggrieved by the decision of the Board of Adjustment may appeal such decision to a court of competent jurisdiction.
 - 3. General Requirements for Granting of a Variance. In all circumstances variances may only be granted upon (1) a showing of good and sufficient cause, (2) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (3) a determination that the variance issuance will not result in increased flood height, additional threats to public safety, extraordinary public expense, will not create nuisances, cause fraud on or victimization of the public or conflict with any other local laws or ordinances.

- 4. In passing upon such applications, the Board of Adjustment shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
 - a. The probability that materials may be swept onto other lands or downstream 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 to the individual owner.
 - d. The importance of the services provided by the proposed facility to the community.
 - e. The availability of alternative locations not subject to flooding for the proposed use.
 - f. The compatibility of the proposed use with the existing and anticipated development.
 - g. The relationship of the proposed use to the comprehensive plan and flood plain management program for that area.
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - i. The expected heights, velocity, duration, rate of rise and sediment and debris transport of the floodwaters expected at the site.
 - j. 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, streets and bridges.
 - k. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
- 5. No variance shall have the effect of allowing in any zone district uses prohibited in that district by either this Ordinance or the Zoning Ordinance.
- 6. Variances shall not, under any condition, be issued within or above any floodway if any increase in flood level during the 100-year flood would result.

- B. Notice of Granting of Variance: In an annual report, Lakewood shall notify the Federal Emergency Management Agency of the issuance of variances from the Flood Plain Management Ordinance and justification for issuing such. Lakewood shall maintain a record of all variance actions including justification for their issuance.
- C. Special Exceptions for Historic Structures: The Board of Adjustment may permit special exceptions from this Ordinance for the repair, reconstruction, rehabilitation or restoration of historic structures as defined in this Chapter 14.25 upon 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 necessary to preserve the historic character and design of the structure.
- D. Notice to Applicant: Lakewood shall notify the variance applicant in writing that the issuance of a variance to construct a structure below the 100-year base flood elevation will result in increased premium rates for flood insurance commensurate with the increased risk from the reduced lowest floor elevation and that such construction below the 100-year base flood elevation increases risks to life and property. This notification shall be maintained in the Board of Adjustment files relating to this variance.

14.25.200 Abrogation and Greater Restrictions.

It is not intended by this Ordinance to repeal, abrogate, annul, or in any way to impair or interfere with any existing provisions of law or ordinance, or any rules, regulations, or permits previously adopted or issued, or which shall be adopted or issued, in conformity with law, relating to the use of buildings or premises. However, where this Ordinance imposes a greater restriction upon the use of buildings or premises or requires larger yards, courts, or other open spaces than are imposed or required by such existing provisions of law or ordinance, or by such rules, regulations, or permits or by such easements, covenants, or agreements, the provisions of this Ordinance shall control.

14.25.210 Severability.

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

14.25.220 Records.

A. The City of Lakewood shall maintain for public inspection:

- 1. Official Flood Studies, a Flood Insurance Rate Map, and any amendments.
- 2. Certificates of flood-proofing and a statement whether a structure has been flood-proofed and to what elevation with building permits as applicable.

3. For structures in the flood plain:

- a. Information on the elevation of the lowest floor, including basement, for all new or substantially improved structures.
- A statement whether a new or substantially improved structure contains a basement.

14.25.230 Annexation Notification.

The City of Lakewood will annually notify the Federal Emergency Management Agency whenever the boundaries of Lakewood have been added to by annexation or decreased by de-annexation. With the notification, Lakewood will include a copy of the map of the community suitable for reproduction, clearly delineating the new corporate limits.

14.25.240 Penalties for Violations of the Flood Plain Management Ordinance.

- A. Any person who violates any of the provisions of the code adopted by this Ordinance or fails to comply therewith, shall severally for each and every violation and noncompliance respectively, be punishable by a fine of not more than one thousand dollars or by imprisonment for not more than three hundred and sixty-five days or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy such violations or deficits within a reasonable time, and when not otherwise specified, each day that prohibited conditions are maintained shall constitute a separate offense.
- B. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.
- C. The City may pursue any necessary legal remedies to enforce this Ordinance.