

City of Westwego

DIVISION 2. - FLOODPRONE AREAS<sup>[2]</sup>

Footnotes:

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**State Law reference**— Use and occupancy of floodprone areas, R.S. 33:1236(38); flood control and related matters, R.S. 38:81 et seq.

Sec. 10-72. - Statement of purpose.

The principal purpose of this division is to prescribe minimum requirements for land use and control measures for floodprone areas in the city as determined by the Federal Insurance Administration (FIA) of the Department of Housing and Urban Development. These measures must be applied uniformly throughout the community to all privately and publicly owned land within floodprone areas, based upon standards set forth in these regulations, as prescribed by the Federal Insurance Administration.

(Code 1976, § 5:100; Ord. No. 1262, 11-10-2003)

Sec. 10-73. - Department responsibility.

It shall be the responsibility of the department of planning to coordinate the efforts of the departments of public utilities and inspection and code enforcement relative to the implementation and enforcement of all regulations of the Federal Emergency Management Agency (FEMA) in connection with the National Flood Insurance Program (NFIP) and to submit to FEMA any and all necessary reports required thereby.

(Code 1976, § 5:100.1; Ord. No. 1263, 11-10-2003)

Sec. 10-74. - Official flood maps.

Official flood maps entitled "Federal Insurance Administration (FIA) Flood Hazard Boundary Maps and Flood Insurance Rate Maps (FIRM) for the City of Westwego, Jefferson Parish, Louisiana, Community No. 220094," effective March 23, 1995, and as hereafter amended, are hereby made a part of these regulations and are on file at city hall. Notwithstanding the provisions of this section, the city is authorized and directed to apply the Advisory Base Flood Elevation (ABFE) pursuant to the Federal Emergency Management Agency (FEMA) Flood Recovery Guidance for Jefferson Parish, dated April 12, 2006, until such time as the Flood Insurance Rate Maps (FIRMs) are updated and approved. The city council, by resolution, may adopt any additional requirements necessary to effectuate the application of the Flood Recovery Guidance for Jefferson Parish or other such guidance recovery advisories issued by FEMA.

(Code 1976, § 5:100.2; Ord. No. 1264, 11-10-2003; Ord. No. 1335, § 1, 10-9-2006)

Sec. 10-75. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*100-year flood (storm)* means the highest level of flooding that, on average, is likely to occur once in every 100 years (i.e., that has a one percent chance of occurring each year).

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Coastal high hazard areas* means the portion of a coastal floodplain having special flood hazards that is subject to high velocity waters, including hurricane or storm surges.

*Development* means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, such as mining, dredging, filling, grading, paving, excavation or drilling operations.

*Federal Insurance Administrator (FIA)* means the individual to whom the secretary of the department of housing and urban development has delegated the administration of the program (34 F.R. 2680-81, February 27, 1969).

*Flood hazard boundary map* means an official map or plat of a community issued or approved by the administrator, on which the boundaries of the floodplain areas having special hazards have been drawn. This map must conform to the special flood hazard map and be of sufficient scale and clarity to permit the ready identification of individual building sites as either within or without the area having special flood hazards.

*Floodplain management program* means the operation of an overall program of corrective and preventative measures for reducing flood damage, including but not limited to emergency preparedness plans, flood-dash control works, and land use and control measures.

*Floodproofed* means any combination of structural and nonstructural additions, changes or adjustments to properties and structures which reduce or eliminate flood damage to lands, water and sanitary facilities, structures and contents of buildings.

*Freeboard* means a factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. The term "freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

*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 "functionally dependent use" 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, but does not include long-term storage or related manufacturing facilities.

*Land use and control measures* means zoning ordinances, subdivision regulations, building codes, health regulations, and other applications and extensions of the normal police power, to provide standards and effective enforcement provisions for the prudent use and occupancy of floodprone areas.

*Manufactured home* means a mobile home as defined in R.S. 51:911.22 or title 44 of the Code of Federal Regulations, whichever is more restrictive.

*New construction* means the first placement of permanent construction on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof or its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling; excavation for basement, footings, piers, or foundations; erection of temporary forms; installation of sewer, gas and water pipes, or electric or other service lines from the street or existence on the property of accessory buildings; such as garages or sheds, not occupied as dwelling units or not a part of the main structure.

*Overtopping* means the amount of water passing over the top of a structure as a result of wave runup or surge action.

*Ponding* means the storage behind a water-retaining structure of water from interior runoffs or the overtopping of a structure.

*Repetitive loss* means flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

*Residential living area* means all floor areas except unenclosed porches, stoops, exterior and unenclosed stairs and accessory uses, such as private garages, carports, portes-cocheres, open and enclosed sheds, bomb and fallout shelters, private stables and minor buildings used as accessories only when not over 1,000 square feet in area.

*Residential structures* means a building or portion thereof designed or used exclusively for residential occupancy, but not including trailers, hotels, motels and motor lodges.

*Special flood hazard areas* means areas within the floodplain that have been designated by the federal insurance administrator on official flood hazard boundary maps as special flood hazards which may be flooded in the event of a 100-year flood, due to ponding or overtopping.

*Special flood hazard maps* means an official map or plat of a community, issued or approved by the administrator on official flood hazard boundary maps as special flood hazards, which may be flooded in the event of a 100-year flood.

*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 slabs or footings, the installation of piles, the construction of columns, or any work beyond the state of excavation; or the placement of a manufactured 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.

*Substantial damage* means 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. The term "substantial damage" also means flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

*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. The term "substantial improvement" includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work performed.

*Surge* means the mass of water causing an increase in elevation of water surface at the time of a hurricane or storm.

(Code 1976, § 5:100.3; Ord. No. 1265, 11-10-2003; Ord. No. 1335, § 2, 10-9-2006)

Sec. 10-76. - Designation of coastal high hazard areas.

The federal insurance administrator is the official agency that has designated coastal high hazard areas and FIA official flood maps are on file at city hall.

(Code 1976, § 5:100.4; Ord. No. 1266, 11-10-2003)

Sec. 10-77. - Securing a permit.

- (a) In floodprone areas of the city, it shall be unlawful to proceed with any new construction, substantial improvement, to include repetitive loss and substantially damaged structures, or mobile homes, without having previously obtained a permit properly numbered and approved from the director of the department of inspection and code enforcement.
- (b) It shall be the duty of the department of inspection and code enforcement to see that such work requiring a permit is authorized and to report the absence of a permit to the director. All work must comply with the building code, as well as this division, and shall be subject to inspection whether a permit is required or not, at the discretion of the director.
- (c) All necessary permits must be received from those governmental agencies from which approval is required by federal or state law, including section 404 of the Federal Pollution Control Act Amendments of 1973, 33 USC 1344.
- (d) In floodprone areas, the director of inspection and code enforcement shall review for a permit all new development, including but not limited to buildings or other structures such as mining, dredging, filling, grading, paving, excavation or drilling operations, with the following exceptions:
  - (1) The planting of any crop, plant, shrub or tree;
  - (2) An excavation below finished grade for footings of a building, or other structure authorized by a valid building permit;
  - (3) Cemetery graves;
  - (4) Refuse disposal sites controlled by other regulations;
  - (5) Excavations for utilities;
  - (6) Processing, stockpiling of sand or gravel where established and provided for by law, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent or contiguous property;
  - (7) Exploratory excavations under the direction of a state-registered architect or state-registered civil engineer;
  - (8) An excavation which:
    - a. Is less than two feet in depth; or
    - b. Which does not create a cut slope greater than five feet and steeper than 1½ horizontal to one vertical;
  - (9) A fill less than one foot in depth, and placed on natural terrain with a slope flatter than five horizontal to one vertical, or less than three feet in depth, not intended to support structures which do not exceed 50 cubic yards on any one lot and do not obstruct a drainage course.

(Code 1976, § 5:100.5; Ord. No. 1267, 11-10-2003)

Sec. 10-78. - First floor elevation required; exception.

- (a) All building permits issued for new construction or substantial improvements, to include repetitive loss and substantially damaged structures, must have imprinted upon them the mean sea level elevation of the lowest floor (including basement) and the base flood level of the 100-year storm. Such elevation requirements apply to all new residential and nonresidential structures as well as substantial improvement.
- (b) However, if the nonresidential structure and its attendant utility and sanitary facilities are located below the level of the prescribed base flood elevation, then the nonresidential structure and its

attendant utility and sanitary facilities must be floodproofed up to the level of the prescribed base flood elevation.

- (c) Where floodproofing is utilized for a particular structure, a state-registered architect or state-registered civil engineer shall certify that the floodproofing methods are adequate to withstand the flood depth pressures, velocities, impact and uplift forces and other factors associated with the base flood, and a record of such certificates indicating the specific elevation in relation to mean sea level to which such structures are floodproofed shall be maintained at city hall.

(Code 1976, § 5:100.6; Ord. No. 1268, 11-10-2003)

Sec. 10-79. - Mobile home flood protection.

- (a) No mobile home shall be placed in a floodway or a coastal high hazard area, except in an existing mobile home park or existing mobile home subdivision.
- (b) All mobile homes shall be anchored to resist floatation, collapse or lateral movement. Specific requirements shall be:
  - (1) Over-the-top ties at each of the four corners of the mobile home, with two additional ties per side at intermediate locations, and mobile homes less than 50 feet long requiring one additional tie per side;
  - (2) Frame ties at each corner of the home with five additional ties per side at intermediate points, and mobile homes less than 50 feet long requiring four additional ties per side;
  - (3) All components of the anchoring system must be capable of carrying a force of 4,800 pounds;
  - (4) Any additions to the mobile home must be similarly anchored.
- (c) For new mobile home parks and subdivisions; for expansions to existing mobile home parks and subdivisions; for existing mobile home parks and subdivisions where the repair, reconstruction or improvement of the streets, utility and pads equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced; and for mobile homes not placed in a mobile home park or subdivision, the following is required:
  - (1) Stands or lots are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood level. A state-registered land surveyor shall submit a certification to the director of inspection and code enforcement stating that the floor is at or above the base flood elevation;
  - (2) Adequate surface drainage and access for a hauler are provided; and
  - (3) In the instance of elevation on pilings:
    - a. Lots are large enough to permit steps;
    - b. Piling foundations are placed in stable soil no more than ten feet apart; and
    - c. Reinforcement is provided for pilings more than six feet above the ground level.

(Code 1976, § 5:100.7; Ord. No. 1269, 11-10-2003)

Sec. 10-80. - Requirement for lowest floor of new construction to be elevated at or above the level of the 100-year flood.

- (a) *Responsibilities of the department of inspection and code enforcement regarding first floor elevation.*
  - (1) It shall be the responsibility of the department of inspection and code enforcement to act as repository for first floor elevation records and to assign required first floor elevation. The

notation shall be made on the face of the building permit. The first floor elevation of new residential livable areas and substantial improvements, to include repetitive loss and substantially damaged structures, must, at a minimum, be elevated to the 100-year flood level as determined by the FIA flood hazard boundary maps.

(2) Minimum floor elevation requirement for new construction and substantial improvements:

Zone	
A, E	Base flood elevation
X, V	See map for specific elevation

(3) All new construction and substantial improvements within zones V1-30:

- a. Shall be elevated on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the structured members of the lowest floor (excluding the pilings or columns) is elevated to or above the base flood level; and
- b. Shall have certification from a state-registered architect or state-registered civil engineer that the structure is securely anchored to adequately anchored piling or columns in order to withstand velocity waters and hurricane wave wash. The space below the lowest floor shall be free of obstructions or shall be constructed with breakaway walls intended to collapse under stress without jeopardizing the structural support of the structure so that the impact on the structure by abnormally high tides or wind-driven water is minimized. Such temporarily enclosed space shall not be used for human habitation. Within V zones, fill shall not be used for structural support of buildings.

(b) *Responsibilities of the department of inspection and code enforcement regarding grade certificate.* Upon application for a building permit and prior to the issuance of a use and occupancy certificate, the applicant must present a grade certificate to the department of inspection and code enforcement which shows the mean sea level elevation of the first floor of the structure, and any electrical, heating, ventilation, plumbing, air conditioning equipment and any other service facilities, as certified by a registered civil engineer or land surveyor, using the benchmarks established by the public utilities department and certification that the requirements of the building code, or the elevation requirements contained herein, whichever is the more restrictive, have been complied with within the floodprone or high hazard areas.

(Code 1976, § 5:100.8; Ord. No. 1270, 11-10-2003)

Sec. 10-81. - Review of construction.

It shall be the responsibility of the director of the department of inspection and code enforcement to ensure that:

- (1) The first floor elevation of new residential structures or substantial improvements, to include repetitive loss and substantially damaged structures, is at or above the base flood level of a 100-year storm;
- (2) The first floor elevation of new nonresidential structures or substantial improvements, to include repetitive loss and substantially damaged structures, is either at or above the base flood level of a 100-year storm or, if below the base flood elevation, that, together with its attendant utility and

sanitary facilities, it is floodproofed up to the level of the base flood elevation of a 100-year storm.

(Code 1976, § 5:100.9; Ord. No. 1271, 11-10-2003)

Sec. 10-82. - Construction requirements.

(a) *Utilization of new uses.*

- (1) Any new structure or substantial improvement, including prefabricated and mobile homes within a floodplain area having special hazards, shall be designed and built to protect the construction against flood damage. Any new structure or substantial improvement, to include repetitive loss and substantially damaged structures as well as prefabricated and mobile homes, within a floodplain area having special hazards, shall be designed and built to protect the construction against flood damage.
- (2) The structure shall be adequately anchored to a foundation, and, if a raised structure, shall be adequately anchored to the columns. The structure shall have its lowest floor level at or above the base flood elevation of a 100-year storm. Further, such construction shall have no basement and shall have the space below the lowest floor free of obstructions so that the impact of abnormally high tides or wind-driven water is minimized.
- (3) In riverine situations, no use in special flood hazard areas shall be permitted that will raise the 100-year flood level more than one foot.

(b) *Existing uses.* Any existing use located on land below the level of the 100-year flood in a coastal high hazard area shall not be expanded except in accordance with these provisions.

(c) *New or improved mobile home parks or subdivisions.* In zones A1-30, for new, substantially improved, or expanded mobile home parks or subdivisions for mobile home placement not in existing mobile home parks or subdivisions, adequate access and drainage shall be provided, and if pilings are used for elevation, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than ten feet apart, and reinforcement shall be provided for pilings more than six feet above the ground level.

(Code 1976, § 5:100.10; Ord. No. 1272, 11-10-2003)

Sec. 10-83. - Floodplain management programs in adjoining parishes.

In riverine situations, adjacent communities and the state coordinating office will be notified prior to any alteration or relocation of a watercourse, and copies of such notification will be submitted to the FIA. The flood-carrying capacity of altered or relocated portions of any watercourse will be maintained.

(Code 1976, § 5:100.11; Ord. No. 1273, 11-10-2003)

Sec. 10-84. - Priority of floodprone area regulations.

All regulations described in this division represent minimum standards and supersede all existing ordinances which require lower standards.

(Code 1976, § 5:100.12; Ord. No. 1274, 11-10-2003)

Sec. 10-85. - Violations.

The director of the department of inspection and code enforcement is authorized to enforce the provisions of this Code dealing with one-family and two-family dwellings. The owner or general agent of the building or premises where a violation of any regulation pertinent to the special flood hazard areas has been committed or exists, or the general agent, architect, building contractor, or any other person who assists in any violation of the pertinent flood regulations, or who maintains any building or premises in which the violation exists, shall be punished as provided for in this Code.

(Code 1976, § 5:100.13; Ord. No. 1275, 11-10-2003)

Sec. 10-86. - Stormwater runoff detention.

- (a) For all proposed developments, other than single-family residential, totaling 10,000 square feet or more (all phases), and all single-family residential developments totaling five acres or more (all phases), the ten-year storm event post-development rate of runoff shall not exceed the ten-year storm event pre-development rate of runoff. To ensure that the post-development rate of runoff does not exceed the pre-development rate of runoff, on-site detention will be required in a manner approved by the city's department of public works. The detention system cannot release water from the site at a rate greater than the pre-development rate of runoff.
- (b) The design concepts for detention facilities and determination of storm runoff shall be consistent with sound hydrological and hydraulic engineering principles and practices.
- (c) The developer shall submit drainage design calculations including a drainage map along with engineering plans to the department of public works for approval by the city engineer. The drainage map shall include a line diagram reflecting the existing drainage system from the outfall end of the proposed development to the receiving outfall canal, reflected in the applicable current master drainage plan. The developer shall also submit calculations showing the impacts to the detention facility from a 100-year storm event.
- (d) Drainage calculations shall consider all relevant information that would affect the hydraulics of the drainage system, including, but not limited to, the following:
  - (1) Drainage basin characteristics;
  - (2) System hydraulics;
  - (3) Other external influences upstream and downstream from the drainage system that may impact or be impacted by the proposed system. Drainage calculations shall consist of:
    - a. Ten-year pre-development flow;
    - b. Ten-year post-development flow;
    - c. Description of release facility and volume of release versus depth of storage in detention facility for ten-year and 100-year storm events;
    - d. Maximum depth of water in the detention facility for design storms;
    - e. Description of impact to the proposed facility resulting from increased depth of storage; and
    - f. A description of how the system will be maintained.
- (e) Unless unstable or highly erosive soil conditions indicate a lower design velocity is desirable, or unless ditch paving at the outlet is provided, the maximum velocity for culvert design shall adhere to the city's criteria for storm drainage design.
- (f) The director of the department of public works shall review for approval each proposed development covered by this section prior to the issuance of permits to proceed with said development. Any decision in which the director of public works denies a request or which requires a variance shall be submitted to the zoning advisory board for review and recommendation. Decisions of the zoning

advisory board recommending approval of a variance shall be submitted for final approval by the city council.

- (g) Any denial of a variance request by the zoning advisory board may be appealed to the city council for final resolution.

(Code 1976, § 5:100.14; Ord. No. 1276, 11-10-2003)

Sec. 10-87. - Function of the zoning advisory board.

It shall be the function of the zoning advisory board to hear petitions supporting variances from this division.

(Code 1976, § 5:100.15; Ord. No. 1277, 11-10-2003)

Sec. 10-88. - Procedure for appeal from the decision of the director of inspection and code enforcement.

(a) Appeals.

- (1) Any applicant for a permit from the director of inspection and code enforcement required by this division whose application has been refused or revoked, or any person who has been ordered by the director to incur any expense, or any person who feels that there are practical difficulties or unnecessary hardships involved in carrying out the strict letter of this division, or where it is alleged that there is an error in any order, requirement or decision, or any determination made by the director may, within 15 days after being notified of such refusal or order, appeal from the decision of the director to the zoning advisory board by the giving the director notice in writing that he does so appeal.
- (2) In situations which could result in an undue delay in construction when all of the conditions of subsection (a)(1) of this section have been met and the requested variance will not increase the cost of flood insurance, the director may grant a variance.

(b) It shall be the duty of the zoning advisory board to:

- (1) Hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the director of this division.
- (2) Hear and decide all matters referred to it or upon which it is required to pass under this division.
- (3) Variances:
  - a. Pass upon appeals where there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of this division, to vary or modify the application of any of the regulations or provisions of this division relating to the construction or alteration of buildings or structures so that the spirit of this division shall be observed, public safety and welfare secured and substantial justice done.
  - b. Issue variances only in cases generally limited to construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the following:
    - 1. A showing of good and sufficient cause;
    - 2. A determination that failure to grant the variance would: result in increased flood heights, additional threats to public safety, extraordinary public expense; create nuisances; cause fraud on or victimization of the public; or conflict with existing local laws or ordinances.

- c. Issue variances only upon a determination that the variance is the minimum necessary, considering the flood hazard, to effect relief.
  - d. In situations which could result in an undue delay in construction when all of the conditions of subsection (b)(3) of this section have been met and the requested variance will not increase the cost of the flood insurance, the director may grant the variance.
- (4) Interpret the intent or meaning of this division and so advise the director and to recommend to the city council such amendments or revisions which may be required to clarify the wording; also to recommend amendments or revisions as may be required from time to time to meet the changing conditions.
  - (5) Issue variances for new construction and substantial improvements and for such other development necessary for the conduct of a functionally dependent use provided that the criteria of the other appropriate subsections of this section are met and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- (c) In order to execute the powers mentioned in subsection (b) of this section, the zoning advisory board may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination of the director, or decide in favor of the applicant on any matters on which it is required to pass under this division.
  - (d) Decisions of the zoning advisory board should state the variances or denials granted and conditions, if any, as they may require such action. The decisions shall be filed in city hall within ten working days after the hearing and a certified copy sent to the applicant by certified mail.
  - (e) Any variance that is granted by the zoning advisory board will then be presented for approval to the city council at the next monthly council meeting following the hearing of the zoning advisory board.

(Code 1976, § 5:100.16; Ord. No. 1278, 11-10-2003)

Sec. 10-89. - City council to be final body of appeal.

- (a) The city council shall be the final body of appeal to hear petitions supporting variances in this division after all avenues have been exhausted.
- (b) In order to execute the powers mentioned in subsection (a) of this section, the city council may reverse an action, wholly or in part, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination of the director of inspection and code enforcement and the zoning advisory board, or decide in favor of the applicant on any matters which it is required to pass under this division.
- (c) Decisions of the city council should state the variances or denials granted and conditions, if any, as they may require such action. The decisions shall be filed in city hall within ten days after the hearing and a certified copy sent to the applicant by certified mail. The director of inspection and code enforcement and the zoning advisory board must abide by the actions taken by the city council.

(Code 1976, § 5:100.17; Ord. No. 1279, 11-10-2003)

Sec. 10-90. - Recording of base flood elevation variance affidavit.

Any applicant whose variance from the base flood elevation is approved by the director of the department of inspection and code enforcement, the zoning advisory board or the city council shall record in the conveyance records of the clerk of court for the parish an affidavit indicating the applicant's property does not meet the required base flood elevation of the parish. Verification of the applicant's recorded

affidavit shall be presented to the department of inspection and code enforcement prior to the issuance of a use and occupancy certificate.

(Code 1976, § 5:100.18; Ord. No. 1280, 11-10-2003)

Secs. 10-91—10-108. - Reserved.