

1 Bill No. 82-55

2 ORDINANCE NO. 3008

3
4 AN ORDINANCE RELATING TO FLOOD HAZARD REDUCTION; AMENDING TITLE XI,
5 CHAPTER 5, SECTIONS 2(C), 5, 6.2, 7.3(J) AND 8.4 OF THE MUNICIPAL
6 CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION; CLARIFYING
7 THE DEFINITIONS OF THE TERMS "FLOOD INSURANCE STUDY" AND "FLOOD
8 INSURANCE RATE MAP" AS INCLUDING ALL SUBSEQUENT AMENDMENTS THERETO
9 WHICH MAY BE ADOPTED BY THE FEDERAL INSURANCE ADMINISTRATION;
10 CLARIFYING THE MEANING OF CERTAIN ABBREVIATIONS USED WITHIN THE
11 CHAPTER AND DELETING USE OF THE WORD "CITY'S" IN CONNECTION WITH
12 THE TERMS "FIRM" OR "FLOOD INSURANCE RATE MAP"; PROVIDING FOR
13 OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDI-
14 NANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

15 Sponsored by
16 COMMISSIONER AL LEVY

Summary: Amends the definitions of
the terms "Flood Insurance Study" and
"Flood Insurance Rate Map" to include
all subsequent amendments which may
be adopted by the Federal Insurance
Administration. The ordinance also
clarifies the meaning of certain
abbreviations used within Title XI,
Chapter 5 and deletes unnecessary
use of the term "City's" in connec-
tion with the words "FIRM" or "Flood
Insurance Rate Map".

17 THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS,
18 NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

19 SECTION 1: Title XI, Chapter 5, Section 2, Subsection
20 (C) of the Municipal Code of the City of Las Vegas, Nevada, 1960
21 Edition, is hereby amended to read as follows:

22 11-5-2:

23 (C) Special Flood Hazard Areas in the City have been identified
24 by the United States Federal Insurance Administration under
25 the National Flood Insurance Program (hereinafter referred
26 to as "NFIP") and are shown on the [City's] Flood Insurance
27 Rate Map. These special flood hazard areas are based on the
28 100-year flood, with watershed development conditions as
29 they existed in 1978, and without consideration of erosion
30 and sedimentation. As urbanization continues to increase
31 the rate and volume of storm runoff, and as long as erosion
32 and sedimentation remain as components of the flood problem,

1 the [FIRM] Flood Insurance Rate Map will understate the
2 extent and degree of the flood problem.

3 SECTION 2: Title XI, Chapter 5, Section 5 of the
4 Municipal Code of the City of Las Vegas, Nevada, 1960 Edition,
5 is hereby amended to read as follows:

6 11-5-5: DEFINITIONS: Words or phrases used in this Chapter
7 shall be interpreted so as to give them the meaning
8 they have in common usage and to give this ordinance its most
9 reasonable application. The following terms have the definitions
10 found below:

11 "ALLUVIAL CONE" means that land form characteristic of desert
12 foothill areas formed by the gradual deposition of rock, sand
13 and soil washed out of the mountains by flood runoff. Alluvial
14 cones are characterized by the absence of a well-defined water-
15 course; instead, the flood runoff tends to migrate from place to
16 place across the cone as ongoing erosion and deposition of stream-
17 borne sediments continually alter the flow path.

18 "APPEAL" means a request for a review of the Director of Public
19 Services' interpretation of any provision of this ordinance.

20 "AREA OF SHALLOW FLOODING" means a designated AO or VO Zone on
21 the Flood Insurance Rate Map [(FIRM)]. The base flood depths
22 range from one to three feet; a clearly defined channel does not
23 exist; the path of flooding is unpredictable and indeterminate;
24 and, velocity flow may be evident.

25 "AREA OF SPECIAL FLOOD HAZARD" means the land in the flood plain
26 subject to a one percent or greater chance of flooding in any
27 given year.

28 "BASE FLOOD" means the flood having a one percent chance of being
29 equalled or exceeded in any given year.

30 "BASE FLOOD ELEVATION" means the water surface elevation resulting
31 from the base flood plus an allowance for future development and
32 sediment.

1 "CITY" means the City of Las Vegas.

2 "DEVELOPMENT" means any man-made change to improved or unimproved
3 real estate, including but not limited to buildings or other
4 structures, mining, dredging, filling, grading, paving, excavation
5 or drilling operations.

6 "ELEVATION" means the elevation above mean sea level based on the
7 City of Las Vegas Bench Circuit provided by the City Department
8 of Public Services.

9 "EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" means a
10 parcel (or contiguous parcels) of land divided into two or more
11 mobile home lots for rent or sale for which the construction of
12 facilities for servicing the lot on which the mobile home is to be
13 affixed (including, at a minimum, the installation of utilities,
14 either final site grading or the pouring of concrete pads, and
15 the construction of streets) approved before the effective date
16 of this ordinance.

17 "EXPANSION OF AN EXISTING MOBILE HOME PARK OR MOBILE HOME SUBDIVI-
18 SION" means the preparation of additional sites by the construction
19 of facilities for servicing the lots on which the mobile homes
20 are to be affixed (including the installation of utilities, either
21 final site grading or pouring of concrete pads, or the construction
22 of streets).

23 "FLOOD" or "FLOODING" means a general and temporary condition of
24 partial or complete inundation of normally dry land areas from
25 the unusual and rapid accumulation of runoff of surface waters
26 and sediment from any source.

27 "FLOOD INSURANCE RATE MAP" (hereinafter alternately referred to as
28 "FIRM") means the official map dated September, 1980, and all
29 subsequent amendments which may be adopted thereto, on which the
30 Federal Insurance Administration has delineated both the areas of
31 special flood hazards and the risk premium zones applicable to
32 the City.

1 "FLOOD INSURANCE STUDY" means the official report of the Federal
2 Insurance Administration dated March, 1980 (entitled "The Flood
3 Insurance Study for the City of Las Vegas"), and all subsequent
4 amendments which may be adopted thereto, [provided by the Federal
5 Insurance Administration that] which includes flood profiles, the
6 Flood Boundary-Floodway Map, and the water surface elevation of
7 the base flood for the City of Las Vegas, Nevada.
8 "FLOODWAY" means the channel of a watercourse and the adjacent
9 land areas that must be reserved in order to discharge the base
10 flood without cumulatively increasing the water surface elevation
11 more than one (1) foot.
12 "HABITABLE FLOOR" means any floor usable for living purposes,
13 which includes working, sleeping, eating, cooking or recreation,
14 or a combination thereof. A floor used only for storage purposes
15 is not a "habitable floor."
16 "MOBILE HOME" means a structure that is transportable in one or
17 more sections, built on a permanent chassis, and designed to be
18 used with or without a permanent foundation when connected to the
19 required utilities. It does not include recreational vehicles or
20 travel trailers.
21 "NEW CONSTRUCTION" means structures for which the "start of
22 construction" commenced on or after the effective date of this
23 ordinance.
24 "NEW MOBILE HOME PARK OR MOBILE HOME SUBDIVISION" means a parcel
25 (or contiguous parcels) of land divided into two or more mobile
26 home lots for rent or sale for which the construction of facilities
27 for servicing the lot (including, at a minimum, the installation
28 of utilities, either final site grading or the pouring of concrete
29 pads, and the construction of streets) approved on or after
30 the effective date of this ordinance.
31 "SEDIMENT" means rock, sand, mud, vegetation, and other material
32 produced by erosion and carried by flood waters.

1 "START OF CONSTRUCTION" means the first work which changes the
2 surface of the land from a drainage standpoint. Such work includes
3 excavation, fill, and grading, but does not include clearing.

4 "STRUCTURE" means a walled and roofed building or mobile home
5 that is principally above ground.

6 "SUBSTANTIAL IMPROVEMENT" means any repair, reconstruction, or
7 improvement of a structure, the cost of which equals or exceeds
8 50 percent of the market value of the structure either:

- 9 1. Before the improvement or repair is started, or
- 10 2. If the structure has been damaged and is being restored,
11 before the damage occurred. For the purposes of this
12 definition "substantial improvement" is considered to occur
13 when the first alteration of any wall, ceiling, floor, or
14 other structural part of the building commences, whether or
15 not that alteration affects the external dimensions of the
16 structure.

17 The term does not, however, include either:

- 18 1. Any project for improvement of a structure to comply with
19 existing state or local health, sanitary, or safety code
20 specifications which are solely necessary to assure safe
21 living conditions, or
- 22 2. Any alteration of a structure listed on the National Register
23 of Historic Places or a State Inventory of Historic Places.

24 "VARIANCE" means a grant of relief from the requirements of this
25 ordinance which permits construction in a manner that would other-
26 wise be prohibited by this ordinance.

27 SECTION 3: Title XI, Chapter 5, Section 6.2 of the
28 Municipal Code of the City of Las Vegas, Nevada, 1960 Edition, is
29 hereby amended to read as follows:

30 11-5-6.2: BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD

31 AND OTHER AREAS COVERED BY THIS ORDINANCE:

32 (A) The areas of special flood hazard are those areas identified

1 by the Federal Insurance Administration in [a scientific and
2 engineering report entitled "The Flood Insurance Study for
3 the City of Las Vegas, Nevada," dated March 1980, with an
4 accompanying Flood Insurance Rate Map,] the Flood Insurance
5 Study and the Flood Insurance Rate Map, both of which are
6 hereby adopted by reference and declared to be a part of
7 this Chapter. The Flood Insurance Study and the [rate map]
8 Flood Insurance Rate Map are on file at the Office of the
9 Director of the Department of Public Services, 400 East
10 Stewart Avenue, Las Vegas, Nevada.

11 (B) The other areas covered by this ordinance are those subject
12 to flood or sediment hazard and those which produce flood or
13 sediment runoff as identified by the Director of Public
14 Services and/or by the Master Plan of Drainage.

15 SECTION 4: Title XI, Chapter 5, Section 7.3, Subsec-
16 tion (J) of the Municipal Code of the City of Las Vegas, Nevada,
17 1960 Edition, is hereby amended to read as follows:
18 11-5-7.3

19 (J) Information To Be Obtained and Maintained:

20 1. Obtain and record the actual elevation (in relation to
21 mean sea level) of the lowest habitable floor (including
22 basement) of all structures, newly constructed or substan-
23 tially improved, [after the FIRM dated September 30, 1980.]
24 subsequent to the effective date of this ordinance.

25 2. For all new or substantially improved floodproofed
26 structures:

27 (a) record the actual elevation of as built structures
28 (in relation to mean sea level).

29 (b) maintain the floodproofing certifications required
30 in Section 11-5-7.1 (C).

31 3. Certification of actual elevation will be the responsi-
32 bility of the developer, and must be furnished by a

1 registered surveyor in the State of Nevada.

2 4. Maintain for public inspection all records pertaining
3 to the provisions of this ordinance.

4 SECTION 5: Title XI, Chapter 5, Section 8.4 of the
5 Municipal Code of the City of Las Vegas, Nevada, 1960 Edition,
6 is hereby amended to read as follows:

7 11-5-8.4: SHALLOW FLOODING: Located within the areas of special
8 flood hazard established in Section 11-5-6.2 are areas
9 designated as shallow flooding. These areas have special flood
10 hazards associated with base flood depths of 1 to 3 feet where a
11 clearly defined channel does not exist and where the path of
12 flooding is unpredictable and indeterminate; therefore, the
13 following provisions apply:

14 (A) All new construction and substantial improvements of residen-
15 tial structures have the lowest floor, including basement,
16 elevated above the crown of the nearest street to or above
17 the depth number specified on the [City's] FIRM with an allow-
18 ance for sediment and future development.

19 (B) All new construction and substantial improvements of nonresi-
20 dential structures shall be protected against erosion and
21 sediment; and shall:

22 1. Have the lowest floor, including basement, elevated
23 above the crown of the nearest street to or above the depth
24 number specified on the FIRM with an allowance for sediment
25 and future development; or

26 2. Together with attendant utility and sanitary facilities
27 be completely floodproofed to or above that level so that
28 any space below that level is watertight with walls
29 substantially impermeable to the passage of water and with
30 structural components having the capability of resisting
31 hydrostatic and hydrodynamic loads and effects of buoyancy.

32 SECTION 6: If any section, subsection, subdivision,

1 paragraph, sentence, clause or phrase in this Chapter or any
2 part thereof, is for any reason held to be unconstitutional, or
3 invalid or ineffective by any court of competent jurisdiction,
4 such decision shall not affect the validity or effectiveness of
5 the remaining portions of this Chapter or any part thereof. The
6 Board of Commissioners of the City of Las Vegas hereby declares
7 that it would have passed each section, subsection, subdivision,
8 paragraph, sentence, clause or phrase thereof irrespective of
9 the fact that any one or more sections, subsections, subdivisions,
10 paragraphs, sentences, clauses or phrases be declared unconstitu-
11 tional, invalid or ineffective.

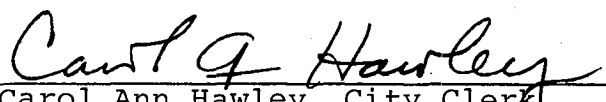
12 SECTION 7: All ordinances or parts of ordinances,
13 sections, subsections, phrases, sentences, clauses or paragraphs
14 contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1960 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this 1st day of
17 September, 1982.

18 APPROVED:

19 
20 BY WILLIAM H. BRIARE, Mayor
21

22 ATTEST:

23 
24 Carol Ann Hawley, City Clerk
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1 The above and foregoing ordinance was first proposed and read by
2 title to the Board of Commissioners on the 18th day of August
3 , 1982, and referred to the following committee composed
4 of Commissioners Levy and Christensen
5 for recommendation; thereafter the said committee reported
6 favorably on said ordinance on the 1st day of September,
7 1982, which was a regular meeting of said Board;
8 that at said regular meeting, the proposed ordinance
9 was read by title to the Board of Commissioners as first
10 introduced and adopted by the following vote:

12 VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Woofter & Mayor Briare

13 VOTING "NAY" Commissioners: None

14 ABSENT: None

APPROVED:

By William H. Briare
WILLIAM H. BRIARE, Mayor

19 ATTEST:

20 Carol A Hawley
21 Carol Ann Hawley, City Clerk

RECEIVED

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

ss.
CITY CLERK

Lorraine Johnson, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from August 25, 1982 to August 25, 1982

inclusive, being the issues of said newspaper for the following dates, to-wit:

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Lorraine Johnson

Subscribed and sworn to before me this 25th
day of August, 1982

Ruth V. Deskin

My Commission Expires

Notary Public in and for Clark County, Nevada
RUTH V. DESKIN
Notary Public-State of Nevada
COUNTY OF CLARK
My Appointment Expires Apr. 14, 1985

Bill No. 82-55

AN ORDINANCE RELATING TO FLOOD
HAZARD REDUCTION; AMENDING TIT-
LE XI, CHAPTER 5, SECTIONS 2(C),
5, 6.2, 7.3(J) AND 8.4 OF THE MUNI-
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VEGAS, NEVADA, 1960 EDITION,
CLARIFYING THE DEFINITIONS OF THE
TERMS "FLOOD INSURANCE STUDY"
AND "FLOOD INSURANCE RATE MAP"
AS INCLUDING ALL SUBSEQUENT
AMENDMENTS THERETO WHICH MAY
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CLARIFYING THE MEANING OF CER-
TAIN ABBREVIATIONS USED WITHIN
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THE WORD "CITY'S" IN CONNECTION
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LATING THERETO; AND REPEALING
ALL ORDINANCES OR PARTS OF OR-
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Sponsored by
COMMISSIONERS AL LEVY

Summary: Amends the definitions of the
terms "Flood Insurance Study" and
"Flood Insurance Rate Map" to include
all subsequent amendments which may
be adopted by the Federal Insurance
Administration. The ordinance also
clarifies the meaning of certain abbre-
viations used within Title XI, Chapter 5
and deletes unnecessary use of the term
"City's" in connection with the words
"FIRM" or "Flood Insurance Rate Map".

At a Commission Meeting on AUGUST
18, 1982 BILL NO. 82-55 was read, by
title and referred to Recommending
Committee: Commissioners Levy and
Christensen.

COPIES OF THE COMPLETE ORD-
NANCE ARE AVAILABLE FOR PUBLIC
INFORMATION IN THE OFFICE OF THE
CITY CLERK, 10TH FLOOR, CITY HALL,
400 EAST STEWART AVENUE, LAS
VEGAS, NEVADA.

Pub: August 25, 1982
Las Vegas SUN

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CITY CLERK

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Bill NO. 82-55

ORDINANCE NO. 3008

AN ORDINANCE RELATING TO FLOOD HAZARD REDUCTION; AMENDING TITLE XI, CHAPTER 5, SECTIONS 2(C), 5, 6.2, 7.3(J) AND 8.4 OF THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960 EDITION, CLARIFYING THE DEFINITIONS OF THE TERMS "FLOOD INSURANCE STUDY" AND "FLOOD INSURANCE RATE MAP" AS INCLUDING ALL SUBSEQUENT AMENDMENTS THERETO WHICH MAY BE ADOPTED BY THE FEDERAL INSURANCE ADMINISTRATION; CLARIFYING THE MEANING OF CERTAIN ABBREVIATIONS USED WITHIN THE CHAPTER AND DELETING USE OF THE WORD "CITY'S" IN CONNECTION WITH THE TERMS "FIRM" OR "FLOOD INSURANCE RATE MAP"; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith. Sponsored by COMMISSIONER AL LEVY

Summary: Amends the definitions of the terms "Flood Insurance Study" and "Flood Insurance Rate Map" to include all subsequent amendments which may be adopted by the Federal Insurance Administration. The ordinance also clarifies the meaning of certain abbreviations used within Title XI, Chapter 5 and deletes unnecessary use of the term "City's" in connection with the words "FIRM" or "Flood Insurance Rate Map".

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 18th day of August, 1982, and referred to the following committee composed of Commissioners Levy and Christensen for recommendation; thereafter the said committee reported, favorably on, said ordinance on the 1st day of September, 1982, which was a regular meeting of said Board; that at said regular meeting, the proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote.

VOTING "AYE" Commissioners: Christensen, Levy, Lurie, Woolfer and Mayor Briare

VOTING "NAY" Commissioners: None
ABSENT: None

COPIES OF THE COMPLETE ORDINANCE ARE AVAILABLE FOR PUBLIC INFORMATION IN THE OFFICE OF THE CITY CLERK, 10TH FLOOR, CITY HALL, 400 EAST STEWART AVENUE, LAS VEGAS, NEVADA.

Pub: September 4, 1982
Las Vegas SUN

AFFIDAVIT OF PUBLICATION

STATE OF NEVADA,
COUNTY OF CLARK

{ ss.

Lorraine Johnson

, being first duly sworn,

deposes and says: That he is Legal Clerk of the
LAS VEGAS SUN, a daily newspaper of general circulation, printed and published
at Las Vegas, in the County of Clark, State of Nevada, and that the attached was
continuously published in said newspaper for a period of 1 time.

from September 4, 1982 to September 4, 1982

inclusive, being the issues of said newspaper for the following dates, to-wit:

September 4, 1982

That said newspaper was regularly issued and circulated on each of the dates
above named.

Signed

Lorraine Johnson

Subscribed and sworn to before me this 4th
day of September, 1982

My Commission Expires



RUTH V. DESKIN
Notary Public - State of Nevada
COUNTY OF CLARK
My Appointment Expires Apr. 14, 1985

07430

RECEIVED
SEP 9 3 57 PM '82
CITY CLERK

My Appointment Expires Apr. 14, 1983
COUNTY OF CLARK
History Public-State of Nevada
RUTHIE A. DECKARD

