

Section ID:

Section:

Title: Flood Lands Management Ordinance

Last Revised Date: 12/16/2002

Description: An Ordinance to enforce Flood Lands Management regulations

PAHRUMP TOWN ORDINANCE NO. 26  
FLOOD LANDS MANAGEMENT ORDINANCE  
SECTIONS:

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**26.000 TITLE.** An Ordinance to enforce Flood Lands Management regulations to ensure the safety of the lives and property of the citizens of the unincorporated Town of Pahrump; setting forth lands to which the ordinance is applicable; establishing a Flood Plain Use Permit; designating the administration of the Flood Plain Use Permit; regulating the alteration of water-courses; providing standards for determining the Special Flooding Hazard Areas; and setting forth the destination of flood water, in the unincorporated Town of Pahrump.

**26.010 SHORT TITLE.** This title shall be known as the “Flood Lands Management Ordinance.”

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

**26.110 AREA OF SPECIAL FLOOD HAZARD.** The term “Area of Special Flood Hazard” shall mean the land in the floodplain within the Town which is subject to a one hundred (100) year flood which is further defined as having a one percent (1%) or greater chance of flooding in any given year.

**26.120 BASE FLOOD.** The term “Base Flood” shall mean the one hundred (100) year flood which is further defined as the flood having one percent (1%) chance of being

equaled or exceeded in any given year.

**26.130 FLOOD OR FLOODING.** The term “Flood or Flooding” shall mean a general and temporary condition of partial or complete inundation of normally dry land areas from the unusual and rapid increase in depth of run off of surface water from any source.

**26.140 FLOOD INSURANCE RATE MAP, (FIRM).** The term “Flood Insurance Rate Map,” (FIRM), shall mean the official map on which the Federal Insurance Administration, (FIA), has delineated both the areas of special flood hazards and the risk premium zones applicable to the community. Specifically exempted are non commercial and non industrial buildings not intended for residential purpose, and all farm buildings not intended as a human residence.

**26.150 FLOOD PLAIN USE PERMIT.** The term “Flood Plain Use Permit” shall mean the permit needed before the construction of any residential, commercial or industrial structures within the unincorporated Town of Pahrump.

**26.160 MOBILE HOME.** The term “Mobile Home” shall mean a structure that is transportable in one or more sections, built on a permanent chassis, and designed to be used with or without a permanent foundation. It does not include recreational vehicles or travel trailers. More specifically they are manufactured structures regulated by the Manufactured Housing Division of the State of Nevada.

**26.170 NEW CONSTRUCTION.** The term “New Construction” shall mean structures for which the “start of construction” commenced on or after the effective date of this ordinance.

**26.180 START OF CONSTRUCTION.** The term “Start of Construction” shall be defined as the point at which the configuration of the land is altered.

**26.190 STRUCTURE.** The term “Structure” shall mean a commercial or private walled and roofed building or mobile home.

#### **26.200 SPECIAL FLOOD HAZARD AREAS**

**26.210 LANDS TO WHICH THIS ORDINANCE APPLIES.** This ordinance shall appl to all areas of Special Flood Hazards within the jurisdiction of the unincorporated Town of Pahrump.

**26.220 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.** The areas of Special Flood Hazard identified by the FIA in the most recent edition, including future editions, of the FIRM for the unincorporated Town of Pahrump is hereby adopted by reference and declared to be a part of this ordinance. The Flood insurance Rate Map shall be on file at the office of the Town Planner.

#### **26.300 ADMINISTRATION**

**26.310 ESTABLISHMENT OF FLOODPLAIN USE PERMIT.** A Floodplain Use Permit shall be obtained before residential, commercial or industrial building begins within an area of Special Flood Hazards, established by this ordinance.

**26.320 DESIGNATION OF THE TOWN BOARD.** The Pahrump Town Board is hereby declared to be the administrator and shall implement this ordinance by granting or denying Floodplain Use Permit applications in accordance with its provisions. Such authority may be delegated to the Town Planning Department or other agent of the town, but such shall be subject to review by an appeal to the Town Board.

**26.330 DUTIES AND RESPONSIBILITIES.** Duties of the Town Board, or Town Planning Department, or other agent shall include, but not be limited to:

- (1) Reviewing all applications for Floodplain Use Permits to determine the site is within the flood plain.
- (2) Review all development permits to determine that all necessary permits have been obtained from those Federal State or local government agencies from which prior approval is required.
- (3) Issuing Floodplain Use Permits, maintaining all records pertaining to the provisions of this ordinance maintained in the office of the Town Planning Department and such records shall be open for public inspections.

#### **26.400 ALTERATION OF WATER-COURSES**

##### **26.410 DRAINAGE, RUN-OFF AND FLOOD CONTROL.**

- (1) All development must be designed to drain unless on site detention is engineered considering soils, safety and maintenance, and provided that such engineering has been approved by the Town Board, or the Town Planning Department, or their agent.
- (2) Entrances and exits of natural drainage and washes into and out of developments shall not be relocated. Their capabilities shall not be reduced. All alterations must consider and mitigate increased erosion and detrimental effects downstream. The recommended procedure for design of nonerosive channel design is in the SCS TR25, "open channel design."

#### **26.500 PROVISIONS FOR FLOOD HAZARD REDUCTION**

**26.510 STANDARDS OF CONSTRUCTION.** In all areas of Special Flood Hazard, the following standards are required:

- (1) **ELEVATION.** Any building or dwelling constructed or set within a Special Flood Hazard area as mapped by the Federal Emergency Management Agency, (FEMA), shall have the habitable lowest floor elevation a minimum of eighteen (18) inches above the one hundred (100) year flood elevation, or the street centerline, or the curb, whichever is of greater elevation.
- (2) **ANCHORING.**

A. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

B. All mobile homes and additions to mobile homes shall be set on a foundation by anchoring the unit to resist flotation, collapse, or lateral movement by one of the following methods:

1. By providing an anchoring system designed to withstand horizontal forces of fifteen (15) pounds per square foot and uplift forces of nine (9) pounds per square foot; or
2. By providing a system, designed \_\_\_\_\_ be in compliance with the Department of Housing and Urban Developments Mobil Home Construction and Safety Standards; or
3. By bolting the frame or undercarriage \_\_\_\_\_ reinforced, permanent foundation such \_\_\_\_\_ retaining wall or storm wall used to set the \_\_\_\_\_.

(3) **Certification.** The owner shall provide to the Pahrump Town Board, the Town Planning Department, or their authorizing agent a statement from an authorized installer or inspector approved by the Manufactured Housing Authority of the State of Nevada, or other competent authority of, stating that \_\_\_\_\_ above standards have been met.

**(4) CONSTRUCTION MATERIALS AND METHODS, SPECIAL FLOOD HAZARD AREA.**

A. All new construction and substantial improvements \_\_\_\_\_ be constructed with materials and utility equipment resistant to flood damage.

B. All new construction and substantial improvements \_\_\_\_\_ be constructed using methods and practices minimize flood damage.

C. Electrical, heating, ventilation, plumbing, and airconditioning equipment and other service facilities shall be designed and/or otherwise elevated or \_\_\_\_\_ so as to prevent water from entering or accumulating within the components during conditions of flooding.

(5) **UTILITIES.** All new and replacement water supply and \_\_\_\_\_ sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system.

26.520 **SPECIFIC STANDARDS.** In all areas of Special Flood Hazard \_\_\_\_\_ the following provisions are required:

1. **USE OF OTHER BASE FLOOD DATA.** The Town Board shall obtain, review, and reasonably utilize the best flood data available from any source: (Federal, State, or other); such as, \_\_\_\_\_ water marks, floods of record, or private engineer reports, in order to administer this section and provide \_\_\_\_\_ developer with an estimated base flood elevation. \_\_\_\_\_ superseded by better authority the FIRM shall be \_\_\_\_\_ authority, and its data accepted as valid.

A. Where the one hundred (100) year flood elevation \_\_\_\_\_ be determined, new construction and substantial improvement of residential, commercial or industrial structures shall have the lowest floor elevation \_\_\_\_ eighteen (18) inches above that level.

B. Where the one hundred (100) year flood elevation cannot be determined, applications for Floodplain Use Permits shall be reviewed to ensure that the proposed construction

will be reasonably safe from flooding. The test for reasonableness is a judgement of the Town Board.

#### **26.600 STANDARDS FOR SUBDIVISIONS.**

26.610 All tentative and final subdivision of parcel maps shall identify the flood hazard area and the elevation of the base flood.

26.620 All subdivision or parcel proposals shall have public utilities and facilities such as sewer, gas, electrical, telephone, and water systems located and constructed to minimize flood damage.

26.630 All subdivision proposals shall be consistent with the need to minimize flood damage.

26.640 All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage. Certification of compliance by a competent authority shall be required of the subdivider.

#### **26.700 ALTERATION OF CONSTRUCTION.**

26.710 Street drainage pattern and final destination shall be the Dry Lakes at the south and west end of Pahrump Valley.

#### **26.800 GENERAL PROVISIONS.**

26.810 **ENFORCEMENT.** Possession by the owner of a Floodplain Use Permit shall be considered adequate proof that the property is in compliance with this Ordinance.

26.820 **SEVERABILITY.** If any one or more sections, clauses, or parts of this ordinance shall be declared invalid or void, such judgement shall not affect, impair or invalidate the remaining provisions of this ordinance, but shall be confined in its operation to the specific sections, clauses, or parts held invalid or void.

26.830 **MISDEMEANOR PENALTIES DESIGNATED.** Any person, firm, or corporation violating this ordinance shall be guilty of a misdemeanor.

26.840 **WARNING AND DISCLAIMER OF LIABILITY.** The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger flood can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of the Pahrump Town Board, any officer or employee \_\_\_\_\_ Federal Insurance Administration, for any \_\_\_\_\_ result from reliance on this ordinance or \_\_\_\_\_ decision lawfully made

hereunder.

**NOTICE OF ADOPTION OF BILL NO. 85-11  
PAHRUMP TOWN ORDINANCE NO. 26  
FLOOD LANDS MANAGEMENT ORDINANCE**

NOTICE IS HEREBY GIVEN that the Pahrump Town Board of the unincorporated Town of Pahrump, at its regular meeting held the 10th day of November, 1987, adopted Bill No. 85-11.

Typewritten copies of the ordinance is available for public inspection at: The office of the Nye County Clerk, Courthouse, Tonopah, Nevada, and; The office of the Pahrump Town Board, at the Town Office, Community Center, Pahrump, Nevada.

Board members voting in favor of the adoption:

\_\_Signatures on file\_\_

Board members voting against the ordinance:

\_\_\_\_\_

This ordinance shall be in full force and effect on and after the 21st day of December, 1987, after publication in full in a newspaper having general circulation in the unincorporated Town of Pahrump, Nye County, Nevada, at least once a week for a period of two weeks.

DATED this 10th day of November, 1987.

PAHRUMP TOWN BOARD

BY: \_\_Signature on file\_\_

Chairman

Publish: PV Times

Date: 11/20 & 11/27/87