

## ORDINANCE NO. 520

**AN ORDINANCE BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AMENDING ORDINANCE NO. 388, “THE FLOOD DAMAGE PREVENTION ORDINANCE OF THE CITY OF LONG BEACH, MISSISSIPPI”, AS AMENDED BY ORDINANCE 469, BY AMENDING ARTICLE 5 SECTION B. (1) AND (2) TO INCREASE LOWEST FLOOR LEVELS IN RESIDENTIAL AND NON-RESIDENTIAL CONSTRUCTION, AMENDING ARTICLE 5, SECTION B.(5)(b) TO REQUIRE ELEVATION OF LOWEST SUPPORTING HORIZONTAL MEMBER TO BE AT LEAST 3 FEET ABOVE THE BASE FLOOD ELEVATION LEVEL, AND AMENDING ARTICLE 5, SECTION B(5)(h) TO ALLOW BREAKAWAY WALLS, AND FOR RELATED PURPOSES.**

WHEREAS, the Mayor and Board of Aldermen (the “Governing Body”) of the City of Long Beach, Mississippi, (the “Municipality”) having made due investigation therefore, do now find, determined, adjudicate and declare as follows:

1. That the City has recently received the Long Beach Floodplain Management Map (LBFMM) which are the official maps of the community on which the FEMA produced Advisory Base Flood Elevations (ABFE) and ABFE inland limit are delineated; and

2. That said elevations and maps reflect that the risk of flood damage to property within the City has increased since Ordinances 388 and 469 were adopted by the City; and

3. In order to protect the life and property within the City, it is necessary to amend said Ordinance No. 388, as amended by Ordinance No. 469, to require that the lowest floor of residential and non-residential construction in all areas of special flood hazard and advisory flood hazard areas where base flood elevation data have been provided, and all buildings and structures in Coastal High Hazard Areas, be increased in height; and

4. That having determined that FEMA regulations do not prohibit breakaway walls in Special Flood Hazard Areas the prohibition of same in Ordinance No. 388, as amended by Ordinance No. 469, should be lifted. THEREFORE,

**BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:**

**SECTION 1.** That part (1) of SECTION B. Specific Standards. of ARTICLE 5, PROVISIONS FOR FLOOD HAZARD REDUCTION, of ORDINANCE No. 388, as amended by Ordinance 469, should be and the same is hereby amended to read as follows:

“(1) Residential Construction. New construction or substantial improvement of any residential building (or manufactured home) shall have the lowest floor, including basement, elevated no lower than 3 feet above the base flood elevation in the SFHA and no lower than the advisory base flood elevation (is the elevation shown on the official Long Beach Floodplain

Management Map (LBFMM) that indicates the advisory stillwater elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent chance of being equaled or exceeded in any given year) in the Advisory Flood Hazard Area (means that portion of the floodplain, which lies between the limits of the Special Flood Hazard Area (SFHA) and the limit of the Advisory Base Flood Elevation (ABFE), which is subject to inundation by the base flood and/or flood-related erosion hazards as shown on the Long Beach Floodplain Management Map (LBFMM)). Should solid foundation perimeter walls be used to elevate a structure, openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with the following standards:

New construction of substantial improvements of elevated buildings that include fully enclosed areas formed by foundation and other exterior walls below the base flood elevations shall be designed to preclude finished living space and designed to allow for the entry and exit of floodwaters to automatically equalize hydrostatic flood forces on exterior walls.

- a.) Designs for complying with this requirement must either be certified by a Mississippi registered professional engineer or architect or meet the following minimum criteria:
  - (i) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
  - (ii) The bottom of all openings shall be no higher than one foot above foundation interior grade (which must be equal to in elevation or higher than the exterior foundation grade); and,
  - (iii) Openings may be equipped with screens, louvers, valves or other coverings or devices provided they permit the automatic flow of floodwaters in both directions;
- b.) Access to the enclosed area shall be minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment used in connection with the premises (standard exterior door) or entry to the living area (stairway or elevator); and
- c.) The interior portion of such enclosed area shall not be partitioned or finished into separate rooms.
- d.) Electrical, plumbing and other utility connections are prohibited below the base flood elevation.”

**SECTION 2.** That part (2) of SECTION B. Specific Standards, of ARTICLE 5, PROVISIONS FOR FLOOD HAZARD REDUCTION, of ORDINANCE No. 388, as amended by Ordinance 469, should be and the same is hereby amended to read as follows:

“(2) Non-Residential Construction. New construction or substantial improvement of any non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than 3 feet above (community freeboard) the level of the base flood elevation in the SFHA and no lower than the advisory base flood elevation (is the elevation shown on the official

Long Beach Floodplain Management Map (LBFMM) that indicates the advisory stillwater elevation plus wave effect (ABFE = SWEL + wave effect) resulting from a flood that has a 1-percent chance of being equaled or exceeded in any given year) in the Advisory Flood Hazard Area (means that portion of the floodplain, which lies between the limits of the Special Flood Hazard Area (SFHA) and the limit of the Advisory Base Flood Elevation (ABFE), which is subject to inundation by the base flood and/or flood-related erosion hazards as shown on the Long Beach Floodplain Management Map (LBFMM)). Buildings located in all A-Zones and in the Advisory Flood Hazard Area may be flood-proofed in lieu of being elevated provided that all areas of the building below the Base Flood Elevation (is the elevation shown on the Flood Insurance Rate Map (FIRM) for Zone AE, AH, AO, A1 - 30, V1 - 30, and VE that indicates the surface water elevation resulting from a flood that has a 1-percent chance of being equaled or exceeded in any given year.) (plus 3 feet) or advisory base flood elevation are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A Mississippi registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator as set forth in Article 4, Section C, Duties of the administrator (11).”

**SECTION 3.** That sub-paragraph (b) of part (5) Coastal High Hazard Areas (V Zones) of SECTION B. Specific Standards. of ARTICLE 5, PROVISIONS FOR FLOOD HAZARD REDUCTION, of ORDINANCE No. 388, as amended by Ordinance 469, should be and the same is hereby amended to read as follows:

“(b) All buildings or structures shall be elevated so that the lowest supporting horizontal member (excluding pilings or columns) is located no lower than 3 feet above the base flood elevation level, with all space below the lowest supporting member open so as not to impede the flow of water. Open lattice work or decorative screening may be permitted for aesthetic purposes only and must be designed to wash away in the event of abnormal wave action and in accordance with Article 5, Section B(5)(h);”

**SECTION 4.** That Sub-paragraph (h) of part 5 Coastal High Hazard Areas (V Zones) of SECTION B. Specific Standards. of ARTICLE 5, PROVISIONS FOR FLOOD HAZARD REDUCTION, of ORDINANCE No. 388, as amended by Ordinance 469, should be and the same is hereby amended to read as follows:

“(h) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be

permitted only if a Mississippi registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- a.) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
- b.) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural) Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year.

If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.”

**SECTION 5.** ORDINANCE No. 388, as amended by Ordinance No. 469, is amended as set forth hereinabove, only, to otherwise remain in full force and effect.

**SECTION 6.** Effective Date

For the protection of life and property in the Municipality, the public interest so requiring it, and for the immediate preservation of order and of the public health, safety and welfare from flood and flood damages, this Ordinance shall take effect and be in force from and after its adoption; but notice shall nevertheless be given as provided by law, and this Ordinance shall be enrolled in the Ordinance Book of the City as by law provided.

The above and foregoing Ordinance No. 520 was introduced in writing by Alderman Notter who moved its adoption. Alderman McNary seconded the motion to adopt the Ordinance, and after discussion, no member of the Board of Aldermen having requested the Ordinance to be read by the City Clerk, and the question being put to a roll call vote, the result was as follows:

Alderman Richard Notter	voted Aye
Alderman Richard Burton	voted Aye
Alderman Charles A. Boggs	voted Nay
Alderman Richard Bennett	voted Aye
Alderman Allen D. Holder	voted Aye
Alderman Mark E. Lishen	voted Aye
Alderman Joseph McNary	voted Aye

The question having received the affirmative vote of a majority the Aldermen present and voting, the Mayor declared the motion carried and the said Ordinance Number 520 adopted and approved this the 4th day of April, 2006.

APPROVED:

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BILLY SKELLIE, JR., MAYOR

ATTEST:

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REBECCA E. SCHRUFF, CITY CLERK