

TOWN OF HARTFORD

FLOOD HAZARD AREA REGULATIONS

Adopted: June 8, 1979

Amended: May 2, 1989

Amended: September 18, 2007

HARTFORD FLOOD HAZARD AREA REGULATIONS

I. Statutory Authorization

To effect the purposes of 10 V.S.A. Chapter 32, and in accordance with 24 V.S.A. § 4424, there is hereby established a Regulation for areas of special flood hazard in the Town of Hartford, Vermont.

II. Statement of Purpose

It is the purpose of this bylaw to:

- A. Minimize and prevent the loss of life and property, the disruption of commerce, the impairment of the tax base, and the extraordinary public expenditures and demands on public services that result from flooding and other flood related hazards.
- B. Ensure that the design and construction of development in flood and other hazard areas are accomplished in a manner that minimizes or eliminates the potential for flood and loss or damage to life and property.
- C. Manage all flood hazard areas designated pursuant to 10 V.S.A. § 753.
- D. Make the state, municipalities, and individuals eligible for federal flood insurance and other federal disaster recovery and hazard mitigation funds as may be available.

III. Lands to Which These Regulations Apply

These Regulations shall apply to all areas in the Town of Hartford, Vermont identified as areas of special flood hazard on the most current flood insurance studies and maps published by the Department of Homeland Security (DHS), Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), as provided by the Secretary of the Agency of Natural Resources pursuant to 10 V.S.A. § 753, which are hereby adopted by reference and declared to be part of these Regulations.

IV. Zoning Permit Required

A local zoning permit is required, to the extent authorized by the Hartford Zoning Regulations and State law, for all proposed construction or other development, including mining, dredging, filling, grading, paving, excavation or drilling operations, storage of equipment or materials or the placement of manufactured homes in areas of special flood hazard.

- A. The following are exempt from regulation under this bylaw:
 - 1. Silvicultural activities not involving the use of buildings and conducted in accordance with Vermont Department of Forest and Parks' Acceptable Management Practices.

2. Agricultural activities not involving the use of buildings and conducted in accordance with Vermont Department of Agriculture, Food and Markets' Acceptable Agricultural Practices.
 3. The removal of a structure or building in whole or in part providing there is no change in site grade.
 4. Connections to, or construction or modification of a Water Supply System and Sanitary Sewage System, providing the certifications, as required under Sections VII. B. 8 and VII. B. 9. of this bylaw, are submitted to the Administrative Officer prior to the start of construction.
 5. Recreational Vehicles placed on sites within the area of special flood hazard are permitted provided the vehicle is fully licensed and ready for highway use. The use of recreational vehicles for sleeping quarters also is governed by Section 3-13.5 of the Hartford Zoning Regulations.
- B. The following activities in the area of special flood hazard but outside the floodway only require a zoning permit from the Administrative Officer:
1. Minor improvements to existing structures that do not involve fill.
 2. Non-enclosed accessory structures such as signs, fences, or pole sheds without walls, foundations or utilities, that are adequately anchored to prevent flotation, collapse, lateral movement of the structure during the occurrence of a base flood.
 3. Small Accessory Structures: A small accessory structure (200 square feet or less) need not be elevated to the base flood elevation provided the property owner certifies that the building:
 - a. shall not be used for human habitation,
 - b. shall be designed to have low flood damage potential,
 - c. shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of floodwaters,
 - d. shall be firmly anchored to prevent flotation as detailed in FEMA technical bulletins, and
 - e. shall have service facilities such as electrical and heating equipment elevated or floodproofed.

- C. Conditional use approval by the Zoning Board of Adjustment, prior to the issuance of a zoning permit by the Administrative Officer, is required for development not exempted or permitted, including:
1. New structures,
 2. Substantial improvement of existing buildings,
 3. Any fill or excavation exceeding 10 cubic yards, and
 4. Development in a floodway

All development and subdivisions shall be reviewed to assure that such proposals comply with the Development Standards in Section VII of this bylaw; minimize potential flood damage; public facilities and utilities such as sewer, gas, electrical, and water systems are constructed to minimize flood damage; and adequate drainage is provided to reduce exposure to flood hazards.

V. Procedures

- A. Prior to issuing a zoning permit, a copy of the application and supporting information shall be submitted by the Administrative Officer to the State National Floodplain Insurance Program Coordinator at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section in accordance with 24 V.S.A. § 4424. A permit may be issued only following receipt of comments from the Agency or the expiration of 30 days from the date the application was mailed to the Agency, whichever is sooner.
- B. Adjacent communities and the Stream Alteration Engineer at the Vermont Agency of Natural Resources, Department of Environmental Conservation, River Management Section shall be notified at least 30 days prior to issuing any permit for the alteration or relocation of a watercourse and copies of such notification shall be submitted to the Administrator of the National Flood Insurance Program. Any permit issued shall assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
- C. A zoning permit application will be accepted by the Town as complete upon submittal of the following:
1. Information as specified in Sections V. A. and V. B of this bylaw;
 2. Any required certifications as specified in this bylaw; and
 3. Evidence of meeting any other requirements of this bylaw and other pertinent Town regulations bylaws policies and procedures.

- D. Proposed development shall be permitted by the Administrative Officer or the Zoning Board of Adjustment conditioned on the receipt of all necessary permits from those government agencies from which approval is required by Federal, State or Municipal law.
- E. All permit, conditional use, hearing, appeal, and filing processes for a permit under this bylaw must comply with all applicable requirements under the Hartford Zoning Regulations.
- F. Construction must start within 180 days of the permit effective date or the permit becomes null and void.

VI. Base Flood Elevations and Floodway Limits

- A. Where available, base flood elevations and floodway limits (or data from which a community can designate regulatory floodway limits) provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps shall be used to administer and enforce these Regulations.
- B. In areas where base flood elevations and floodway limits have not been provided by the National Flood Insurance Program in the Flood Insurance Study and accompanying maps, base flood elevations and floodway data provided by FEMA or available from State or Federal agencies or other sources shall be obtained and utilized to administer and enforce these Regulations. If no such source of data is publicly available, it is the applicant's responsibility to develop this data.
- C. Until a regulatory floodway has been mapped, no new construction, substantial improvements, or other development shall be permitted unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing development and anticipated development will not increase the water surface elevation of the base flood at any point within the community.
- D. Map Revisions or Amendments - Applicants who believe that the Flood Insurance Rate Map (FIRM) or flood study incorrectly shows their property in the flood fringe or floodway must apply to FEMA to make that change. The Town or state may comment on any applications to FEMA for map revisions or amendment. The applicant must retain an engineer and/or surveyor to provide the necessary data.

Applicants believing the map is wrong and their building or area where improvements are proposed is not in the hazard area shown need a Letter of Map Amendment (LOMA) from FEMA, or conditional LOMA (CLOMA) for a proposed building. A Letter of Map Revision (LOMR-F) from FEMA is needed if fill had been used to elevate the grade where the structure is so that it is no longer an area of special flood hazard as mapped. A conditional LOMR-F (CLOMR-F) from FEMA is needed if fill (if allowed) is proposed to elevate the structure above the base flood.

When any revision or amendment is being sought from FEMA, an application to the Town under this Regulation will not be considered complete until the relevant letter has been issued by FEMA. Issuance of a LOMR-F or CLOMR-F is not local permission to fill, which may only take place in compliance with this Regulation.

VII. Development Standards

- A. Floodway Areas as shown on the most current version of the FEMA Flood Insurance Rate Map.
 1. Development within the regulatory floodway, as determined by Section VI., is prohibited, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice by a registered Vermont licensed engineer and certified that the proposed development will result in no increase in flood levels during the occurrence of the base flood.
 2. Junkyards and storage facilities for floatable materials, chemicals, explosives, flammable liquids, or other hazardous or toxic materials, are prohibited within the floodway.

- B. Areas of Special Flood Hazard Outside the Floodway as shown on the most current version of the FEMA Flood Insurance rate Map (FIRM).
 1. All Development: All development shall be certified by a Vermont licensed engineer, architect or surveyor that it is:
 - a) designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure during the occurrence of the base flood,
 - b) constructed with materials resistant to flood damage,
 - c) constructed by methods and practices that minimize flood damage as detailed in FEMA technical bulletins including not overly constraining flood flows with fill that would require armoring, and
 - d) constructed with electrical, heating, ventilation, plumbing and 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.
 2. Residential Development: All residential development shall be certified by a Vermont licensed engineer, architect, or surveyor that the following are met:
 - a) New construction and existing buildings to be substantially improved that are located in Zones A, A1-30 and AE have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.

- b) Manufactured homes to be placed and existing manufactured homes to be substantially improved are:
 - i. located in a new manufactured home park or subdivision, outside of a manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision, or in a manufactured home park or subdivision which has incurred substantial damage from a flood is elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to at least one foot above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist floatation, collapse, and lateral movement during the occurrence of the base flood.
 - ii. located in an existing manufactured home park, where elevating a replacement home to or above base flood elevation is not possible, the lowest floor is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 48 inches in height above grade and be securely anchored to an adequately anchored system to resist floatation, collapse, and lateral movement.

Following the completion of construction and prior to the issuance of a Certificate of Occupancy, the Vermont licensed engineer, architect, or surveyor shall certify that the structure and other improvements were constructed as designed. The applicant is responsible for the cost of all certifications.

- 3. Non-Residential Development: All non-residential development shall be certified by a Vermont licensed engineer, architect, or surveyor that the following are met:
 - a) New construction located in Zones A, A1-30, and AE have the lowest floor, including basement, elevated to at least one foot above the base flood elevation.
 - b) Existing buildings to be substantially improved located in Zones A, A1-30, AE have the lowest floor, including basement, elevated to at least one foot above the base flood elevation or together with attendant utility and sanitary facilities be designed so that below at least one foot above the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - c) The structural design, specifications and plans, and proposed methods of construction are in accordance with accepted standards of practice for meeting the provisions of this subsection.

Following the completion of construction and prior to the issuance of a Certificate of Occupancy, the Vermont licensed engineer, architect, or surveyor shall certify

that the structure and other improvements were constructed as designed. The applicant is responsible for the cost of all certifications.

4. Subdivisions:

- a) New subdivision proposals and other proposed development (including proposals for manufactured home parks and subdivisions) shall include base flood elevation data.
- b) Subdivisions (including manufactured home parks) shall be designed to assure:
 - i. such proposals minimize flood damage within the flood-prone area,
 - ii. public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage,
 - iii. adequate drainage is provided to reduce exposure to flood hazards, and
 - iv. any access roads to habitable structures or critical facilities shall be at least one foot above base flood elevations and able to withstand a 100-year event without failure or overtopping.

Following the completion of construction and prior to the issuance of a Certificate of Occupancy, the Vermont licensed engineer, architect, or surveyor shall certify that the structure and other improvements were constructed as designed. The applicant is responsible for the cost of all certifications.

5. Enclosed Areas Below the Lowest Floor:

- a) Enclosed areas below the lowest floor which are subject to flooding shall be used solely for parking of vehicles, building access, or storage and such a condition shall clearly be stated in any permits.
- b) New construction and existing buildings to be substantially improved with fully enclosed areas below the lowest floor that are subject to flooding shall be certified by a Vermont licensed engineer or architect that the following are met
 - i. The design will automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
 - ii. There are at least two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding.
 - iii. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings

or devices provided that they permit the automatic entry and exit of floodwaters.

Following the completion of construction and prior to the issuance of a Certificate of Occupancy, the Vermont licensed engineer, architect, or surveyor shall certify that the structure and other improvements were constructed as designed. The applicant is responsible for the cost of all certifications.

6. Water Supply Systems: New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems. The designer of the system shall certify that the water supply system design meets this requirement. Following the completion of construction, the designer shall certify that the water supply system was built as designed. The applicant is responsible for the cost of all certifications.
7. Sanitary Sewage Systems: New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters. The designer of the system shall certify that the sanitary sewage system design meets this requirement. Following the completion of construction, the designer shall certify that the sanitary sewage system was built as designed. The applicant is responsible for the cost of all certifications.
8. On-Site Waste Disposal Systems: On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding. The designer of the system shall certify that the on-site waste disposal system design meets this requirement. Following the completion of construction, the designer shall certify that the on-site waste disposal system was built as designed. The applicant is responsible for the cost of all certifications.
9. Watercourse Carrying Capacity: The flood and sediment carrying capacity within any altered or relocated portion of a watercourse shall be maintained. A Vermont licensed engineer shall certify that this standard will be met. Following the completion of construction, a Vermont licensed engineer shall certify that the project was built as designed. The applicant is responsible for the cost of all certifications.
10. Flood Storage Capacity: The net post-development flood storage capacity shall not be less than the pre-development capacity. If cuts and fills are used under this provision, a Vermont licensed engineer shall certify that the net change in flood storage and modifications do not create any increase in erosion or flood hazard. Following the completion of construction, a Vermont licensed engineer shall certify that the project was built as designed. The applicant is responsible for the cost of all certifications.

VIII. Duties and Responsibilities of the Administrative Officer

- A. The Administrative Officer shall maintain a record of all permits issued and denied for development in areas of special flood hazard including:
1. The elevation (consistent with the datum of the elevation on the NFIP maps for the community) of the lowest floor, including basement, of all new or substantially improved buildings;
 2. The elevation (consistent with the datum of the elevation on the NFIP maps for the community) to which buildings have been floodproofed;
 3. All certifications required under this Regulation; and
 4. All variance actions, including justification for their issuance.

IX. Variances to the Development Standards

Variances shall be granted by the Hartford Zoning Board of Adjustment after a hearing noticed in the same manner as for a Conditional Use application under the Hartford Zoning Regulations, and only in accordance with 24 V.S.A. § 4469 and 44 CFR, Section 60.6, of the National Flood Insurance Program Regulations, provided a Vermont licensed engineer, surveyor or architect certifies that the variance will not result in increased flood heights, increased susceptibility to flooding or erosion, additional threats to public safety or infrastructure (including emergency services during flood events), or extraordinary public expense.

X. Warning of Disclaimer of Liability

This bylaw does not imply that land outside of the areas of special flood hazard or land use permitted within such districts will be free from flooding or flood damages. This bylaw shall not create liability on the part of the Town of Hartford or any Town official or employee thereof for any flood damages that result from reliance on this bylaw or any administrative decision lawfully made thereunder.

XI. Validity and Severability

If any portion of this bylaw is held unconstitutional or invalid by a competent court, the remainder of this bylaw shall not be affected.

XII. Precedence of Bylaw

The provisions of this bylaw shall not in any way impair or remove the necessity of compliance with any other applicable bylaw. Where this bylaw imposes a greater restriction, the provisions of this bylaw shall take precedence.

XIII. Enforcement and Penalties

It shall be the duty of the Administrative Officer to enforce the provisions of this bylaw. Whenever any development occurs contrary to these Flood Hazard Area Regulations, the Administrative Officer shall notify the alleged offender of the violation by certified mail to correct the violation. No action may be brought unless the alleged offender has had at least a seven (7) day warning notice by certified mail. An action may be brought without the seven (7) day notice and opportunity to cure if the alleged offender repeats the violation after the seven-day notice period and within the next succeeding twelve months. The seven (7) day warning notice shall state that a violation exists, that the alleged offender has an opportunity to cure the violation within the seven days, that failure to cure may result in loss of flood insurance, and that the alleged offender will not be entitled to an additional warning notice for a violation occurring after the seven days and within the next succeeding twelve (12) months.

If the violation is not remedied within seven (7) days, or appealed, the Administrative Officer shall file a copy of the notice of alleged violation in the municipal land use permit files, with the Town Clerk for filing in the land records, and mail a copy to the alleged violator, the state NFIP Coordinator and the Administrator of the National Flood Insurance Program. Section 1316 of the National Flood Insurance Act of 1968, as amended, authorizes FEMA to deny flood insurance to a property declared by a community to be in violation of their flood hazard area regulations. The notice shall consist of: (a) the name of the property owner and address or legal description of the property sufficient to confirm its identity or location, (b) a clear and unequivocal declaration that the property is in violation of a cited State or local law, regulation, or ordinance, (c) a clear statement that the public body making the declaration has authority to do so and a citation to that authority, (d) evidence that the property owner has been provided notice of the violation and the prospective denial of insurance, and (e) a clear statement that the declaration is being submitted pursuant to Section 1316 of the National Flood Insurance Act of 1968, as amended.

XIV. Appeal of an Administrative Decision

An interested person may appeal any decision or act taken by the Administrative Officer by filing a Notice of Appeal with the Secretary of the Zoning Board of Adjustment through the Town's Municipal Office. This Notice of Appeal shall be filed within 15 calendar days of the date of the decision or act, and a copy of the Notice of Appeal shall be filed with the Administrative Officer. A Notice of Appeal shall be in writing, submitted on the form provided by the Town and shall include the name and address of the appellant, a brief description of the property with respect to which the appeal is taken, a reference to the regulatory provisions applicable to that appeal, the relief requested by the appellant, and the alleged grounds why the requested relief is believed proper under the circumstances.

XIV. Definitions

Accessory Structure is a structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

Administrative Officer is the person designated by the Selectboard as responsible for administering and enforcing the provisions of these Regulations, and in doing so shall inspect development, maintain records, and perform other related tasks as is necessary and appropriate.

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

Base Flood Elevation (BFE) is the height of the base flood, usually in feet, in relation to the National Geodetic Vertical Datum of 1929, the North American Vertical Datum of 1988, or other datum referenced in the Flood Insurance Study report, or average depth of the base flood, usually in feet, above the ground surface.

Basement means any area of the building having its floor elevation below ground level on all sides.

Basement (A Walkout-on-grade) With a floor at ground level on at least one side of the house, usually with the door on that side, is not considered a “basement” as defined by these regulations.

Development means any man-made change to improved or unimproved real estate, including but not limited to construction and placement of buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Existing manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed including, at a minimum, the installation of utilities, construction of streets, and either final site grading or the pouring of concrete pads or foundations is completed before the effective date of the floodplain management regulations adopted by a community.

Expansion to an existing manufactured home park or subdivision means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufacturing homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads or foundations).

Flood means (a) A general and temporary condition of partial or complete inundation of normally dry land areas from: the overflow of inland or tidal waters; the unusual and rapid accumulation or runoff of surface waters from any source; and mudslides which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current. (b) The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a

severe storm, or by an unanticipated force of nature, such as flash flood or abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding.

Flood Insurance Rate Map (FIRM) means an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community.

Flood Insurance Study means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations or an examination, evaluation and determination of mudslide (i.e., mudflow) and /or flood related erosion hazards.

Floodplain or flood-prone area means any land area susceptible to being inundated by water from any source (see definition of “flood”).

Flood proofing means any combination of structural and non-structural 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 meeting the standards identified in FEMA technical bulletins on floodproofing.

Floodway means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot at any point.

Historic Structure means any structure that is: (a) Listed individually on the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; (c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: (i) By an approved state program as determined by the Secretary of the Interior or (ii) Directly by the Secretary of the Interior in states without approved programs.

Legislative Body means the Town of Hartford Selectboard.

Lowest Floor means the lowest floor of the lowest enclosed area, including 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 non-elevation design requirements of 44 CFR 60.3.

Manufactured home commonly known as mobile homes means 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 attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle”.

Manufactured home park or subdivision means a parcel or contiguous parcels of land divided into two or more manufactured home lots for rent or sale.

Minor Improvement means any reconstruction, rehabilitation, addition, or other improvements of a structure, the cost of which is less than 50% of the market value of the structure before the “start of construction” of the improvement.

New construction means, for the purposes of determining insurance rates, structures for which the “start of construction” commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, *new construction* means structures for which the *start of construction* commenced on or after the effective date of the floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New manufactured home park or subdivision means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads or foundations) is completed on or after the effective date of the floodplain management regulations adopted by a community.

Recreational vehicle means a vehicle which is: (a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (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 a temporary living quarters for recreational, camping, travel, or seasonal use.

Special Flood Hazard Area is the land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. The area may be designated a Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the Flood Insurance Rate Map (FIRM), Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/AI-30, AR/AE, AR/AO, AR/AH, AR/A, VO or V1-30, VE, or V. For purposes of these Regulations, the term “special flood hazard area” is synonymous in meaning with the phrase “area of special flood hazard”.

Start of Construction includes substantial improvement, and means the actual start date of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement as approved by the zoning permit issued. 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. 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, footing, 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.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, regardless whether that alteration affects the external dimensions of the building.

Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

Structure, for insurance purposes, means: (a) a building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; (b) a manufactured home also known as a mobile home, built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation; or (c) a travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. For the latter purpose, "structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in (c) of this definition, a gas or liquid storage tank.

Substantial damage means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged conditions would equal or exceed 50 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 cumulatively equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: (a) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specification which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (b) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Violation means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR 60.3 is presumed to be in violation until such time as that documentation is provided.