

City of Cheney
609 Second Street
Cheney, Washington 99004

**CITY OF CHENEY, WASHINGTON
ORDINANCE NO. X-46**

**AN ORDINANCE AMENDING CHAPTER 19.20 OF THE CHENEY
MUNICIPAL CODE ENTITLED "CONSTRUCTION IN FLOOD HAZARD
AREAS" BY MODIFYING A DEFINITION, STANDARDS FOR
MANUFACTURED HOMES AND PROVIDING FOR OTHER MATTERS
RELATED THERETO**

WHEREAS, through Chapter 19.20, the City has adopted regulations in order to minimize public and private losses due to flood hazards;

WHEREAS, the Federal Insurance Administration identifies areas within the City of Cheney that contain special flood hazards which require structures to be built to certain elevations and standards to protect public and private property.

NOW, THEREFORE, the City Council of the City of Cheney does ordain as follows.

Section 1. Amendment. The definition of "Areas of shallow flooding" set forth in Section 19.20.005 is amended to read as follows:

19.20.005 - Definitions.

Areas of shallow flooding means a designated AO, or AH Zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

Substantial improvement.

(A) The term "substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

(1) Before the improvement or repair is started; or

(2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

(B) The term does not, however, include either:

(1) Any project for improvement of a structure to correct violations of state or local health, sanitary, or safety code specifications which have been identified (through notice or citation) by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or

(2) Any alteration of a structure listed on the National Register of Historic Places or a state inventory of historic places.

Section 2. Amendment. Section 19.20.070 of the Cheney Municipal Code is amended to read as follows:

19.20.070 - Standards for flood hazard reduction in areas of special flood hazards.

(i) *Manufactured homes.* All manufactured homes to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation; and be securely anchored to an adequately anchored foundation system in accordance with the provisions of subdivision (a)(2) of this section.

Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions be elevated so that either:

(1) The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation, or

(2) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

Section 1. Severability. If any section, sentence, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 2. Effective Date. This ordinance shall become effective thirty (30) days after its passage, approval, and publication.

Introduced this 14th day of August, 2018.

Passed by the City Council this 23rd day of October, 2018.

Approved by the Mayor this 23rd day of October, 2018.



Chris Grover, Mayor

ATTEST:



Cynthia L. Niemeier, City Clerk

APPROVED AS TO FORM:



Stanley M. Schwartz, City Attorney

