

# Village of Galatia

CF

PLOTTED IN 1836

210 West Main • P.O. Box 9  
Galatia, IL 62935

Phone (618) 268-4112  
Fax (618) 268-4266

**RECEIVED**  
OFFICE OF WATER RESOURCES  
SPRINGFIELD, ILLINOIS

November 9, 2011

NOV 14 2011

Dear Mr. Osman,

AS _____	DIR _____
PGM D _____	PI _____
PLNG _____	RM _____

Enclosed you will find Flood Damage Prevention Ordinance #20111114. This Ordinance was filed with the Saline County Clerk & Recorder on November 8, 2011. Thank you for your assistance in the matter.

*Sharon Talandis*

Sharon Talandis,  
Village Clerk

*12/12/11 -  
Ord reviewed, approved,  
and entered into CIS.  
State model C version  
All dates & references  
are correct.  
Copy sent to FEMA*



Section 16. Effective Date

60.3(c) for communities with detailed mapping and countywide maps

Ordinance # 20111114

## **AN ORDINANCE REGULATING DEVELOPMENT IN FLOODPLAIN AREAS**

Be it ordained by the Mayor and Village Board of Trustees of the Village of Galatia Illinois as follows:

### **Section 1. Purpose.**

This ordinance is enacted pursuant to the police powers granted to this Village by the Illinois Municipal Code (65 ILCS 5/1-2-1, 5/11-12-12, 5/11-30-2, 5/11-30-8 and 5/11-31-2) in order to accomplish the following purposes:

- To prevent unwise developments from increasing flood or drainage hazards to others;
- protect new buildings and major improvements to buildings from flood damage;
- to promote and protect the public health, safety, and general welfare of the citizens from the hazards of flooding;
- to lessen the burden on the taxpayer for flood control, repairs to public facilities and utilities, and flood rescue and relief operations;
- maintain property values and a stable tax base by minimizing the potential for creating blight areas;
- make federally subsidized flood insurance available, and
- to preserve the natural characteristics and functions of watercourses and floodplains in order to moderate flood and stormwater impacts, improve water quality, reduce soil erosion, protect aquatic and riparian habitat, provide



## Section 2. Definitions.

For the purposes of this ordinance, the following definitions are adopted:

**Base Flood**- The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year flood. The base flood elevation at any location is as defined in Section 3 of this ordinance.

**Base Flood Elevation (BFE)** - The elevation in relation to mean sea level of the crest of the base flood.

**Basement**- That portion of a building having its floor sub-grade (below ground level) on all sides.

**Building**- A walled and roofed structure, including gas or liquid storage tank that is principally above ground including manufactured homes, prefabricated buildings and gas or liquid storage tanks. The term also includes recreational vehicles and travel trailers installed on a site for more than one hundred eighty (180) days per year.

**Critical Facility**- Any facility which is critical to the health and welfare of the population and, if flooded, would create an added dimension to the disaster. Damage to these critical facilities can impact the delivery of vital services, can cause greater damage to other sectors of the community, or can put special populations at risk.

Examples of critical facilities where flood protection should be required include: emergency services facilities (such as fire and police stations), schools, hospitals retirement homes and senior care facilities, major roads and bridges, critical utility sites (telephone switching stations or electrical transformers, and hazardous material storage facilities (chemicals, petrochemicals, hazardous or toxic substances).

**Development**- Any man-made change to real estate including, but not necessarily limited to:

- Demolition, construction, reconstruction, repair, placement of a building, or any structural alteration to a building;
- substantial improvement of an existing building;
- installation of a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer on a site for more than one hundred eighty (180) days per year;
- installation of utilities, construction of roads, bridges, culverts or similar projects;
- construction or erection of levees, dams walls or fences;



Floodplain also includes those areas of known flooding as identified by the community.

The floodplains of those parts of unincorporated Saline County that are within the extraterritorial jurisdiction of the Village of Galatia or that may be annexed into the Village of Galatia are generally identified as such on the Flood Insurance Rate map prepared for Saline County by the Federal Emergency Management Agency and dated December 16, 2011.

**Floodproofing**- Any combination of structural or nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate, property and their contents.

**Floodproofing Certificate**- A form published by the Federal Emergency management agency that is used to certify that a building has been designed and constructed to be structurally dry flood proofed to the flood protection elevation.

**Flood Protection Elevation (FPE)** - The elevation of the base flood plus one foot of freeboard at any given location in the floodplain.

**Floodway**- That portion of the floodplain required to store and convey the base flood. The floodway shall be according to the best data available from Federal, State, or other sources.

**Freeboard**- An increment of elevation added to the base flood elevation to provide a factor of safety for uncertainties in calculations, future watershed development, unknown localized conditions, wave actions and unpredictable effects such as those caused by ice or debris jams.

**Historic Structure**- Any structure that is:

1. Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
- Individually listed on the state inventory of historic places by the Illinois Historic Preservation Agency.
- Individually listed on a local inventory of historic places that has been certified by the Illinois Historic Preservation Agency.

**IDNR/OWR**- Illinois Department of Natural Resources/Office of Water Resources.

IDNR /OWR Jurisdictional Stream- Illinois Department of Natural Resource Office of



seasonal use.

**Repetitive Loss-** Flood related damages sustained by a structure on two separate occasions during a ten year period for which the cost of repairs at the time of each such flood event on the average equals or exceeds twenty-five percent (25%) of the market value of the structure before the damage occurred.

**SFHA-** See definition of floodplain.

**Start of Construction-** Includes substantial improvement and means the date the building permit was issued. This, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvement, was within one hundred eighty (180) days of the permit date. 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 placement of a manufactured home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building whether or not that alteration affects the external dimensions of the building.

**Structure (see "Building")**

**Substantial Damage-** Damage of any origin sustained by a structure whereby the cumulative percentage of damage subsequent to the adoption of this ordinance equals or exceeds fifty percent (50%) of the market value of the structure before the damage occurred regardless of actual repair work performed. Volunteer labor and materials must be included in this determination. The term includes "Repetitive Loss Buildings" (see definition).

**Substantial Improvement-** Any reconstruction, rehabilitation, addition or improvement of a structure taking place subsequent to the adoption of this ordinance in which the cumulative percentage of improvements:

equals or exceeds fifty percent (50%) of the market value of the structure before the improvement or repair is started, or

increases the floor area by more than twenty percent (20%).

"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. This term includes structures which have incurred repetitive loss or substantial damage, regardless of the actual repair work done.

The term does not include:

1. Any project for improvement of a structure to comply with existing



#### **Section 4. Duties of the Mayor and Village Board of Trustees**

The Mayor and Village Board of Trustees shall be responsible for the general administration of this ordinance and ensure that all development activities within the floodplains under the jurisdiction of the Village of Galatia meet the requirements of this ordinance. Specifically, the Mayor and Village Board of Trustees shall:

- Process development permits in accordance with Section 5;
- ensure that all development in a floodway (or a floodplain with no delineated floodway) meets the damage prevention requirements of Section 6;
- ensure that the building protection requirements for all buildings subject to Section 7 are met and maintain a record of the “as-built” elevation of the lowest floor (including basement) or floodproof certificate;
- assure that all subdivisions and annexations meet the requirements of Section 8;
- ensure that water supply and waste disposal systems meet the Public Health standards of Section 9;
- if a variance is requested, ensure that the requirements of Section 11 are met and maintain documentation of any variances granted;
- inspect all development projects and take any and all penalty actions outlined in Section 13 as a necessary to ensure compliance with this ordinance;
- assure that applicants are aware of and obtain any and all other required local, state, and federal permits;
- notify IDNR/OWR and any neighboring communities prior to any alteration or relocation of a watercourse;
- provide information and assistance to citizens upon request about permit procedures and floodplain construction techniques;
- cooperate with state and federal floodplain management agencies to coordinate base flood data and to improve the administration of this ordinance;
- maintain for public inspection base flood data, floodplain maps, copies of state and federal permits, and documentation of compliance for development



subject to the requirements of this ordinance. In addition, any development located on land shown to be below the base flood elevation and hydraulically connected to a flood source, but not identified as floodplain on the current Flood Insurance Rate Map, is subject to the provisions of this ordinance.

The Mayor and Village Board of Trustees shall maintain documentation of the existing ground elevation at the development site and certification that this ground elevation existed prior to the date of the site's first Flood Insurance Rate Map identification.

The Mayor and Village Board of Trustees shall be responsible for obtaining from the applicant copies of all other federal, state, and local permits, approvals or permit-not-required letters that may be required for this type of activity. The Mayor and Village Board of Trustees *shall* not issue a permit unless all other federal, state, and local permits have been obtained.

#### **Section 6. Preventing Increased Flood Heights and Resulting Damages.**

Within any floodway identified on the countywide Flood Insurance Rate Map, and within all other floodplains where a floodway has not been delineated, the following standards shall apply:

- Except as provided in Section 6(B) of this ordinance, no development shall be allowed which, acting in combination with existing and anticipated development will cause any increase in flood heights or velocities or threat to public health and safety. The following specific development activities shall be considered as meeting this requirement\*:
  - Bridge and culvert crossings of streams in rural areas meeting the conditions of the Illinois Department of Natural Resources, Office of Water Resources Statewide Permit Number 2;
  - Barge fleeting facilities meeting the conditions of IDNR/OWR Statewide Permit Number 3;
  - Aerial utility crossings meeting the conditions of IDNR/OWR Statewide Permit Number 4;
  - Minor boat docks meeting the following conditions of IDNR/OWR Statewide Permit Number 5:
  - Minor, non-obstructive activities such as underground utility lines, light poles, sign posts, driveways, athletic fields, patios, playground equipment, minor storage buildings not exceeding 70 square feet and



from flood damage below the flood protection elevation. This building protection requirement applies to the following situations:

- Construction or placement of a new building or alteration or addition to an existing building valued at more than one thousand dollars (\$1,000) or seventy (70) square feet.
- Substantial improvements or structural alterations made to an existing building that increase the floor area by more than twenty percent (20%) or equal or exceed the market value by fifty percent (50%). Alteration shall be figured cumulatively subsequent to the adoption of this ordinance. If substantially improved, the existing structure and the addition must meet the flood protection standards of this section.
- Repairs made to a substantially damaged building. These repairs shall be figured cumulatively "subsequent to the adoption of this ordinance. If substantially damaged the entire structure must meet the flood protection standards of this section within 24 months of the date the damage occurred.
- Installing a manufactured home on a new site or a new manufactured home on an existing site. (The building protection requirements do not apply to returning a manufactured home to the same site it lawfully occupied before it was removed to avoid flood damage).
- Installing a travel trailer or recreational vehicle on a site for more than one hundred eighty (180) days per year.
- Repetitive loss to an existing building as defined in Section 2.
- Residential or non-residential buildings can meet the building protection requirements by one of the following methods:
  - The building may be constructed on permanent land fill in accordance with the following:
    - The lowest floor (including basement) shall be at or above the flood protection elevation.
    - The fill shall be placed in layers no greater than six inches before compaction and should extend at least ten (10) feet beyond the foundation before sloping below the flood protection elevation.



lines, submersible pumps, and other service facilities may be located below the flood protection elevation provided they are waterproofed.

- The area below the flood protection elevation shall be used solely for parking or building access and not later modified or occupied as habitable space, or
  - in lieu of the above criteria, the design methods to comply with these requirements may be certified by a licensed professional engineer or architect.
- The building may be constructed with a crawlspace located below the flood protection elevation provided that the following conditions are met:
    - The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
    - Any enclosed area below the flood protection elevation shall have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. A minimum of one opening on each wall having a total net area of not less than one (1) square inch per one (1) square foot of enclosed area. The openings shall be no more than one (1) foot above grade.
    - The interior grade of the crawlspace below the flood protection elevation must not be more than two (2) feet below the lowest adjacent exterior grade.
    - The interior height of the crawlspace measured from the interior grade of the crawl to the top of the foundations wall must not exceed four (4) feet at any point.
    - An adequate drainage system must be installed to remove floodwaters from the interior area of the crawlspace within a reasonable period of time after a flood event.
    - Portions of the building below the flood protection elevation must be constructed with materials resistant to



- The vehicle must be designed solely for recreation, camping, travel, or seasonal use rather than as a permanent dwelling.
- The vehicles largest horizontal projections must be no larger than four hundred (400) square feet.
- The vehicle's wheels must remain on axles and inflated.
- Air conditioning units must be attached to the frame so as to be safe for movement of the floodplain.
- Propane tanks as well as electrical and sewage connections must be quick-disconnect.
- The vehicle must be licensed and titled as a recreational vehicle or park model, and
- must either:
  - entirely be supported by jacks, or
  - have a hitch jack permanently mounted, have the tires touching the ground and be supported by block in a manner that will allow the block to be easily removed by used of the hitch jack.
- Garages, sheds or other minor accessory structures constructed ancillary to an existing residential use may be permitted provided the following conditions are met:
  - The garage of shed must be non-habitable.
  - The garage or shed must be used only for the storage of vehicles and tools and cannot be modified later into another use.
  - The garage or shed must be located outside of the floodway or have the appropriate state and/or federal permits.
  - The garage or shed must be on a single family lot and be accessory to an existing principle structure on the same lot.
  - Below the base flood elevation, the garage or shed must be built of materials not susceptible to flood damage.
  - All utilities, plumbing, heating, air conditioning and electrical must



## Section 9. Public Health and Other Standards

- Public health standards must be met for all floodplain development. In addition to the requirements of Sections 6 and 7 of this ordinance the following standards apply:
  - No development in the floodplain shall include locating or storing chemicals, explosives, buoyant materials, flammable liquids, pollutants, or other hazardous or toxic materials below the flood protection elevation unless such materials are stored in a floodproofed and anchored storage tank and certified by a professional engineer or floodproofed building constructed according to the requirements of Section 7 of this ordinance.
  - Public utilities and facilities such as sewer, gas and electric shall be located and constructed to minimize or eliminate flood damage.
  - Public sanitary sewer systems and water supply systems shall be located and constructed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
  - New and replacement on-site sanitary sewer lines or waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding. Manholes or other above ground openings located below the flood protection elevation shall be watertight.
  - Construction of new or substantially improved critical facilities shall be located outside the limits of the floodplain. Construction of new critical facilities shall be permissible within the floodplain if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor (including basement) elevated or structurally dry floodproofed to the 500-year flood frequency elevation or three feet above the level of the 100-year flood frequency elevation whichever is greater. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities.
- All other activities defined as development shall be designed so as not to alter



Section 7 that would lessen the degree of protection to a building will:

- Result in increased premium rates for flood insurance up to twenty-five dollars (\$25) per one hundred dollars (\$100) of insurance coverage;
  - increase the risk to life and property, and
  - require that the applicant proceed with knowledge of these risks and that the applicant acknowledge in writing the assumption of the risk and liability.
- Historic Structures
    - Variances to the building protection requirements of Section 7 of this ordinance which are requested in connection with reconstruction, repair, or alteration of a historic site or historic structure as defined in "Historic Structures", may be granted using criteria more permissive than the requirements of Sections 6 and 7 of this ordinance subject to the conditions that:
      - The repair or rehabilitation is the minimum necessary to preserve the historic character and design of the structure.
      - The repair or rehabilitation will not result in the structure being removed as a certified historic structure.

- Agriculture

Any variance granted for an agricultural structure shall be decided individually based on a case by case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in this ordinance.

In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed.

- All agricultural structures considered for a variance from the floodplain



## **Section 12. Disclaimer of Liability.**

The degree of protection required by this ordinance is considered reasonable for regulatory purposes and is based on available information derived from engineering and scientific methods of study. Larger floods may occur or flood heights may be increased by man-made or natural causes. This ordinance does not imply that development either inside or outside of the floodplain will be free from flooding or damage. This ordinance does not create liability on the part of the Village of Galatia or any officer or employee thereof for any flood damage that results from proper reliance on this ordinance or any administrative decision made lawfully thereunder.

## **Section 13. Penalty.**

Failure to obtain a permit for development in the floodplain or failure to comply with the conditions of a permit or a variance shall be deemed to be a violation of this ordinance. Upon due investigation, the Village Attorney may determine that a violation of the minimum standards of this ordinance exists. The Police Chief and/or Village Attorney shall notify the owner in writing of such violation.

- If such owner fails after ten (10) days notice to correct the violation:
  - The Village of Galatia shall make application to the circuit court for an injunction requiring conformance with this ordinance or make such other order as the court deems necessary to secure compliance with the ordinance.
  - Any person who violates this ordinance shall upon conviction thereof be fined not less than fifty dollars (\$50) or more than seven hundred fifty (\$750) for each offense.
  - A separate offense shall be deemed committed upon each day during or on which a violation occurs or continues, and
  - the Village of Galatia shall record a notice of violation on the title of the property.
- The Police Chief and/or Village Attorney shall inform the owner that any such violation is considered a willful act to increase flood damages and therefore may cause coverage by a Standard Flood Insurance Policy to be suspended.

The Police Chief and/or Village Attorney is authorized to issue an order requiring the suspension of the subject development. The stop-work order



**Section 16. Effective Date.**

This ordinance shall be in full force and effect from and after its passage, approval, and publication as required by law.

Passed by the Mayor and Village Board of Trustees of the Village of Galatia, Illinois, this 14th day of November, 2011.



(Clerk)

Approved by me this 14th day of November, 2011.



(Mayor)

Attested and filed in my office this 14th day of November, 2011.



(Clerk)

