

SECTION 11: Section 27-115 (definitions) may be amended as follows:

(a) By striking from the definition for Flood or Flood-Water as it appears in said section and inserting in place thereof the following definition:

Flood or Flood Water - means the water of any lake or watercourse which is above the banks and/or outside the channel and banks of such watercourses;

(b) By striking from the definition for Flood Hazard Areas as it appears in said section and in place thereof insert the following definition:

Flood Hazard Area - means any floodplain, floodway, floodway fringe district or any combination thereof;

(c) By striking from the definition for Flood Protection Grade as it appears in said section and in place thereof insert the following definition:

Flood Protection Grade - means the elevation of the lowest floor of a building or structure. If a basement is included, the basement floor is considered the lowest floor. Exception: if a commercial or industrial building is floodproofed as hereinafter defined, the term "flood protection grade" applies to the water surface elevation for which the building is protected.

(d) Insert between the definition for Flood Protection Grade and Regulatory Flood Profile the following new definitions:

Regulatory Flood - means that flow having a peak discharge which can be expected to be equaled or exceeded on the average of once in a one hundred year period, as calculated by a method and procedure which is acceptable to and approved by the Indiana Natural Resources Commission. This flood is equivalent to a flood having a probability of occurrence of one percent in any given year.

Flood Proofed Building - means a commercial or industrial building designed to exclude floodwaters from the interior of that building. All such floodproofing shall be adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regulatory flood.

(e) Insert between the definitions for Subdivision and Swimming Pool, Private the following new definition:

Substantial Modification - means any alteration, repair, enlargement or extension of an existing building. Such substantial modification is considered to occur when the first alteration of any wall, ceiling, floor or other structural element of the building commences. This term does not, however, include either (1) any project for improvement of a structure to comply with existing health, sanitary or safety code specifications of (2) any alteration of a structure listed on the National Register of Historic Places or the Indiana State Survey of Historic, Architectural, Archeological and Cultural Sites, Structures, Districts and Objects.

(f) Insert between the definitions for Mobile Home Stand and Moderate Burning the following new definition:

Mobile Home Tie Downs; Schedule A - means sufficient anchorage to resist flotation, allapse or lateral movement of any mobile home. At a minimum, such anchorage shall consist of (1) over-the-top ties be provided at each of the four corners of the mobile home, with two additional ties per side at the intermediate locations, with mobile homes less than 50 feet long requiring only one additional tie per side; (2) frame ties be provided at each corner of the home with five additional ties per side at intermediate points and mobile homes less than 50 feet long requiring four additional ties per side; (3) all components of the anchoring system be capable of carrying a force of 4,800 pounds; and (4) any additions to the mobile home be similarly anchored.

(g) Insert at the end of the definition Nonconforming Use the following clause:

Any building, structure or other use in a Flood Plain (FP), Floodway (FW) or Floodway Fringe (FF) District which is not in conformance with this ordinance constitutes a nonconforming use; provided, any building or structure which is a nonconforming use if damaged may not be restored or rebuilt except in a conforming manner if such damage exceeds forty percent (40%) of its replacement value as determined by the director of planning and development.

SECTION 12: All other provision of the City Code of Lebanon, Indian, referreing to Flood Prone Areas shall remain in full force and effect.

SECTION 13: This ordinance shall be in full force and effect from and after its approval by the Plan Commission.