

ORDINANCE NO. 13-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, RELATING TO REGULATIONS IN CHAPTER 16.15 FLOOD DAMAGE PREVENTION OF THE COVINGTON MUNICIPAL CODE TO ADD THREE DEFINITIONS TO ENSURE CONTINUED COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) MINIMUM REQUIREMENTS.

WHEREAS, Title 16.15 of the Covington Municipal Code (CMC) provides regulations for protecting the city's flood hazard areas and regulating allowed uses within those areas; and

WHEREAS, on the 27th day of June, 2017, the City Council approved Ordinance 06-2017 adopting updates to CMC 16.15 Flood Damage Prevention to include Best Available Science and provide consistency with the National Flood Insurance Program; and

WHEREAS, City staff transmitted the proposed amendments to CMC Chapters 16.15 to the Washington State Department of Commerce in December 2016, as required under RCW 36.70A.106, and received comments from state agencies including the Washington State Department of Ecology (Ecology) which were incorporated into the amendments approved in Ord. 06-2017; and

WHEREAS, in preparing these amendments to CMC 16.15 the city used consultants who did extensive research on the standards and requirements for updating the amendments to those regulations for flood damage prevention in the city; and

WHEREAS, after approval by the City Council of Ord. 06-2017 city staff transmitted the approved amendments to the Washington State Department of Commerce on June 28, 2017 as required by law;

WHEREAS, on July 24, 2017, city staff received an email from Ecology's NFIP State Coordinator requesting the addition of three definitions for "Flood Insurance Study," "Floodway," and "Recreation Vehicle" to CMC 16.15 for consistency with the NFIP; and

WHEREAS, the City Council of the City of Covington, upon review of information provided by City staff, find that all applicable and substantive requirements of the law have been met, that the adoption of this ordinance promotes the public health, safety, and general welfare of the community, and that the adoption of this ordinance serves the public interest;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COVINGTON, KING COUNTY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings of Fact. The "Whereas" provisions above shall constitute Findings of Fact and are incorporated by reference as if fully set forth herein.

Section 2. Amendments to Chapter 16.15. The following three definitions shall be added to CMC 16.15.30:

Flood Insurance Study.

“Flood insurance study” means the current effective official report provided by FEMA that includes flood profiles, the Flood Insurance Rate Maps, and the water surface elevation of the base flood.

Floodway.

“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.

Recreational Vehicle.

“Recreational Vehicle” means a vehicle,

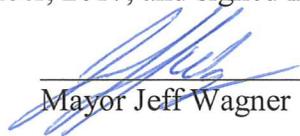
- Built on a single chassis;
- 400 square feet or less when measured at the largest horizontal projection;
- Designed to be self-propelled or permanently towable by a light duty truck; and
- Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Section 3. Severability. Should any section, paragraph, sentence, clause, or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

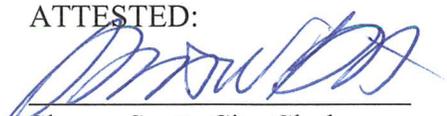
Section 4. Corrections. Upon approval of the city attorney, the city clerk and/or code codifier is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of clerical errors, references to other local, state, or federal laws, codes, rules, or regulations; or section/subsection numbering.

Section 5. Effective Date. This ordinance shall be in full force and effect five (5) days after publication in the city’s newspaper of record. A summary of this ordinance may be published in lieu of publishing the ordinance in its entirety.

PASSED BY THE CITY COUNCIL OF THE CITY OF COVINGTON, WASHINGTON, at a regular meeting thereof on the 26th day of September, 2017, and signed in authentication of its passage.



Mayor Jeff Wagner

ATTESTED:


Sharon Scott, City Clerk

PUBLISHED: September 29, 2017
EFFECTIVE: October 4, 2017

APPROVED AS TO FORM ONLY:


Kathy Hardy, City Attorney