

# **BOARD OF YAKIMA COUNTY COMMISSIONERS**

## **ORDINANCE 7-2021**

### **IN THE MATTER OF AMENDING YAKIMA COUNTY CODE SECTION 13.05.090 TO ADOPT THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD HAZARD MAP AND FLOOD INSURANCE RATE MAP**

**WHEREAS**, the Federal Emergency Management Agency has completed their study titled "The Flood Insurance Study for Yakima County, Washington and Incorporated Areas" to identify flood hazard areas and modify Flood Hazard Maps and Flood Insurance Rate Maps that take effect October 21, 2021; **and**,

**WHEREAS**, RCW Chapters 19.27, 36.32, 36.43, 46.55, and 35.80 authorize counties within the State of Washington to: (1) adopt standard building codes; (2) provide for their administration and enforcement; (3) amend or limit the applicability of such codes as authorized by law; (4) set fees within the codes; (5) provide that any violation of the provisions of said codes as adopted shall constitute a misdemeanor or a civil violation subject to a monetary penalty; (6) provide that a county may by ordinance (a) prescribe minimum standards for the use and occupancy of dwellings throughout the county; (b) prescribe minimum standards for the use and occupancy of any building, structure or premises used for any other purpose, (c) prevent the use or occupancy of any dwelling, building or structure, or premises, that is injurious to the public health, safety, morals, or welfare; (d) prescribe punishment for the violation of any provision of such ordinance; **and**,

**WHEREAS**, the Board of Yakima County Commissioners has heretofore examined and understands the scope and purpose of the uniform codes and regulations adopted under this ordinance and the amendments and additions thereto, and finds that the amendments and additions to the codes enacted in RCW 19.27.031 do not diminish the performance standards and objectives of the State Building Code, the Board of Yakima County Commissioners deems it to be in the public interest and for the general health, safety and welfare of the citizens of the County that such codes and amendments and additions thereto be adopted as the law of the County of Yakima: **and**,

**WHEREAS**, pursuant to RCW 36.32.120 (7), a duly noticed public hearing was held on October 12, 2021 at 10:00am regarding the adoption of this ordinance and that one (1) copy of each

# BOARD OF YAKIMA COUNTY COMMISSIONERS

code and regulation adopted hereunder together with a copy of this ordinance specifying amendments and additions thereto were filed in the County Auditor's Office ten (10) days prior to the public hearing; and all persons desiring to speak for and against the adoption of this ordinance and the amendments and supplements thereto have been heard as required by law; **now therefore,**

**BE IT HEREBY ORDAINED** by the Board of Yakima County Commissioners as follows:

SECTION I. Section 13.05.090 of Ordinance — 4-2021 is hereby repealed.

SECTION II. Section 13.05.090 is hereby enacted as set forth herein below:

13.05.090 Amendment to Chapter 16, Section 1612, Flood Loads. Section 1612 of the International Building Code, 2018 Edition, is amended as follows:

## **SECTION 1612**

### **FLOOD LOADS**

1612.1 General. Within flood hazard areas as established in Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads and shall be anchored to prevent floatation, collapse, or lateral movement of the structure. For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply.

All new construction and any improvements or additions to an existing floodproofed structure that would extend beyond the existing floodproofing located within 100 feet of a floodway or ordinary high water mark, if no floodway has been established, shall also meet the requirements of Yakima County Code 16C.05.28.010 and 020, and YCC 16D.05.28.010 and 020.

1612.2 Design and construction. The design and construction of buildings and structures located in flood hazard areas, including flood hazard areas subject to high velocity wave action, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The special flood hazard areas identified

## BOARD OF YAKIMA COUNTY COMMISSIONERS

by the Federal Emergency Management Agency (FEMA), in a scientific and engineering report entitled "The Flood Insurance Study for Yakima County, Washington and Incorporated Areas" dated October 21, 2021, and any revisions thereto, with an accompanying flood insurance rate map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of Chapters 13.05.010 through 13.05.170 and are established as flood hazard areas. The flood insurance study and maps are on file at the Yakima County Courthouse Building, Yakima, Washington. The best available information for flood hazard area identification as outlined in 16C.05.44.060 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under 16C.05.44.060.

### 1612.3.1 Design flood elevations.

Where design flood elevations are not included in the flood hazard areas established in Section 1612.3, or where floodways are not designated, the building official is authorized to require the applicant to:

1. Obtain and reasonably utilize any design flood elevation and floodway data available from a federal, state or other source; or
2. Determine the design flood elevation and/or floodway in accordance with accepted hydrologic and hydraulic engineering practices used to define special flood hazard areas. Determinations shall be undertaken by a registered design professional who shall document that the technical methods used reflect currently accepted engineering practice.

### 1612.3.2 Determination of impacts.

In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed work will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction of the applicable governing authority.

SECTION III EFFECTIVE DATE. This ordinance shall be effective October 21, 2021.


# BOARD OF YAKIMA COUNTY COMMISSIONERS

DONE


OCT 19 2021




Attest:

  
Julie Lawrence, Clerk of the Board  
Linda Kay O'Hara, Deputy Clerk of the Board

  
Ron Anderson, Chairman

  
Amanda McKinney, Commissioner

  
LaDon Linde, Commissioner  
Constituting the Board of County Commissioners  
for Yakima County, Washington

Approved as to Form:

  
Deputy Prosecuting Attorney

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ORDINANCE 7-2021

 **DRAFT**

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**WHEREAS**, the Board of Yakima County Commissioners has heretofore examined and understands the scope and purpose of the uniform codes and regulations adopted under this ordinance and the amendments and additions thereto, and finds that the amendments and additions to the codes enacted in RCW 19.27.031 do not diminish the performance standards and objectives of the State Building Code, the Board of Yakima County Commissioners deems it to be in the public interest and for the general health, safety and welfare of the citizens of the County that such codes and amendments and additions thereto be adopted as the law of the County of Yakima: **and**,

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Julie Lawrence, Clerk of the Board  
Linda Kay O'Hara, Deputy Clerk of the Board

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Ron Anderson, Chairman

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Amanda McKinney, Commissioner

\_\_\_\_\_  
LaDon Linde, Commissioner  
*Constituting the Board of County Commissioners  
for Yakima County, Washington*

**Approved as to Form:**

\_\_\_\_\_  
*Deputy Prosecuting Attorney*