2005 Amendments to All Maine Floodplain Management Model Ordinances

Additions are underlined and deletions are strikethrough

ARTICLE I - PURPOSE AND ESTABLISHMENT
(4th paragraph)

The (Town/City) of _____ has the legal authority to adopt land use and control measures to reduce future flood losses pursuant to Title 30-A MRSA, Sections 3001-3007, 4352, and 4401-4407, and Title 38 MRSA, Section 440.

ARTICLE III – APPLICATION FOR PERMIT

K. The following certifications as required in Article VI by a registered professional engineer or architect:

1. a Floodproofing Certificate (FEMA Form 81-65, 08/99 01/03, as amended), to verify…

ARTICLE IV – APPLICATION FEE AND EXPERT’S FEE
(optional language change)

A non-refundable application fee of $_____ for all minor development and $_____ for all new construction or substantial improvements shall be paid to the (Town/City) Clerk or Code Enforcement Officer and a copy of a receipt for the same shall accompany the application.

ARTICLE V – REVIEW STANDARDS FOR FLOOD HAZARD DEVELOPMENT PERMIT APPLICATIONS

B. Utilize, in the review of all Flood Hazard Development Permit applications:

1. the base flood and floodway data contained in the "Flood Insurance Study - (Town/City) of _____, Maine," as described in Article I.;

2. in special flood hazard areas where base flood elevation and floodway data are not provided, the ____________ shall obtain, review and reasonably utilize any base flood elevation and floodway data from federal, state, or other technical sources, including information obtained pursuant to Article III.H.I.b.; Article VI.K.; and Article IX.D., in order to administer Article VI of this Ordinance; and,…

ARTICLE VI – DEVELOPMENT STANDARDS
(coastal ordinances with V Zones only)

P. Coastal Floodplains -

5. The enclosed areas below the lowest floor shall may be used solely for parking vehicles, building access, and storage.
ARTICLE XIII or XIV - DEFINITIONS

(The article number depends on which version of the model ordinance is in effect for your community)

**Code Enforcement Officer** - any person or board responsible for performing the inspection, licensing, and enforcement duties required by a particular statute or ordinance. A person certified under Title 30-A MRSA, Section 4451 (including exceptions in Section 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws and ordinances.

**Development** - means any man made change caused by individuals or entities to improved or unimproved real estate, including but not limited to the construction of buildings or other structures; the construction of additions or substantial improvements to buildings or other structures; mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials; and the storage, deposition, or extraction of materials, public or private sewage disposal systems or water supply facilities. (The new wording of this definition is directly from the FEMA regulations at 44 CFR 59.1)

**Elevation Certificate** - An official form (FEMA Form 81-31, 07/00 01/03, as amended) that:

a. is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and,

b. is required for purchasing flood insurance.