



ORDINANCE \_\_\_\_\_

**AN ORDINANCE TO AMEND CHAPTER 101, FLOOD DAMAGE REDUCTION, OF THE MUNICIPAL CODE OF THE TOWN OF DEWEY BEACH, DELAWARE, 2005, AS AMENDED, RELATING TO THE FREEBOARD HEIGHT REQUIREMENT FOR THE ELEVATION OF BUILDINGS, STRUCTURES AND EQUIPMENT.**

**BE IT ENACTED AND ORDAINED**, by the Commissioners of the Town of Dewey Beach, Sussex County, Delaware, in session met, as follows:

**Section 1.** Amend §101-27A(1) of the Municipal Code of the Town of Dewey Beach relating to elevation requirements of residential structures and residential portions of mixed-use structures as depicted by ~~strikeout and underlined~~ substitutions below:

The lowest floor (including basement) shall be elevated to or above the base flood elevation plus ~~12 inches~~ **3 feet**. ~~{SB 64 Recommended Standard 7A; Require 12 inches of freeboard (height above minimum elevation)}~~

**Section 2.** Amend §101-27A(2) of the Municipal Code of the Town of Dewey Beach relating to elevation requirements of residential structures and residential portions of mixed-use structures as depicted by ~~strikeout and underlined~~ substitutions below:

In areas of shallow flooding (Zone AO), if not dry floodproofed, the lowest floor (including basement) shall be elevated at least as high above the highest adjacent grade as the depth number specified in feet on the Flood Insurance Rate Map plus ~~12 inches~~ **3 feet** or at least two feet plus ~~12 inches~~ **3 feet** if a depth number is not specified; adequate drainage paths shall be provided to guide floodwaters around and away from the structure. ~~{SB 64 Recommended Standard 7A; Require 12 inches of freeboard (height above minimum elevation)}~~

**Section 3.** Amend §101-33B(1) of the Municipal Code of the Town of Dewey Beach relating to elevation requirements of residential and nonresidential structures as depicted by ~~strikeout and underlined~~ substitutions below:

The bottom of the lowest horizontal structural member supporting the lowest floor (excluding the pilings, pile caps, columns, grade beams, and bracing), shall be located at or above the base flood elevation plus ~~12 inches~~ **3 feet**. ~~{SB 64 Recommended Standard 7A; Require 12 inches of freeboard (height above minimum elevation)}~~

**Section 4.** Amend §101-33D(1) of the Municipal Code of the Town of Dewey Beach relating to elevation requirements of manufactured homes as depicted by ~~strikeout and underlined~~ substitutions below:

46 Meet the elevation requirements of Subsection B., provided that the bottom of the lowest  
47 horizontal structural member is at or above the base flood elevation plus ~~12 inches~~ **3 feet**. ~~{SB-64~~  
48 ~~Recommended Standard 7A; Require 12 inches of freeboard (height above minimum elevation)}~~  
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50 **Section 5.** Amend §101-28A(1) of the Municipal Code of the Town of Dewey Beach relating to  
51 elevation requirements for nonresidential structures and nonresidential portions of mixed-use structures  
52 as depicted by ~~strikeout and underlined~~ substitutions below:  
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54 The lowest floor (including basement) shall be elevated to or above the base flood elevation plus  
55 ~~12 inches~~ **3 feet** or the structure shall be dry proofed in accordance with Subsection B. ~~{SB-64~~  
56 ~~Recommended Standard 7A; Require 12 inches of freeboard (height above minimum elevation)}~~; and  
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58 **Section 6.** Amend §101-28A(2) of the Municipal Code of the Town of Dewey Beach relating to  
59 elevation requirements for nonresidential structures and nonresidential portions of mixed-use structures  
60 as depicted by ~~strikeout and underlined~~ substitutions below:  
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62 In areas of shallow flooding (Zone AO), if not dry floodproofed, the lowest floor (including  
63 basement) shall be elevated at least as high above the highest adjacent grade as the depth number  
64 specified in feet on the Flood Insurance Rate Map plus ~~12 inches~~ **3 feet** or at least two feet plus ~~12 inches~~  
65 **3 feet** if a depth number is not specified; adequate drainage paths shall be provided to guide floodwaters  
66 around and away from the structure. ~~{SB-64 Recommended Standard 7A; Require 12 inches of freeboard~~  
67 ~~(height above minimum elevation)}~~; and  
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69 **Section 7.** Amend §101-29E of the Municipal Code of the Town of Dewey Beach relating to  
70 elevation requirements of electrical service and mechanical equipment in accessory structures as depicted  
71 by ~~strikeout and underlined~~ substitutions below:  
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73 Electrical and mechanical equipment shall be elevated to or above the level of the base flood  
74 elevation plus ~~12 inches~~ **3 feet**. ~~{SB-64 Recommended Standard 7A; Require 12 inches of freeboard (height~~  
75 ~~above minimum elevation)}~~; and  
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77 **Section 8.** Amend §101-25B of the Municipal Code of the Town of Dewey Beach relating to  
78 elevation requirements of gas or liquid storage tanks as depicted by ~~strikeout and underlined~~ substitutions  
79 below:  
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81 Above-ground tanks in special flood hazard areas shall be elevated to or above the level of the  
82 base flood elevation plus ~~12 inches~~ **3 feet** or shall be anchored at-grade and designed and constructed to  
83 prevent flotation, collapse, or lateral movement resulting from hydrodynamic and hydrostatic loads ,  
84 including the effects of buoyancy, during conditions of base flood. ~~{SB-64 Recommended Standard 7A;~~  
85 ~~Require 12 inches of freeboard (height above minimum elevation)}~~; and  
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87  
88 **Section 9.** If any provision of this Ordinance shall be deemed or held to be invalid or  
89 unenforceable for any reason whatsoever, then such invalidity or unenforceability shall not affect any  
90 other provision of this Ordinance which may be given effect without such invalid or unenforceable  
91 provision, and to this end, the provisions of this Ordinance are hereby declared to be severable.  
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