



**CITY OF ILWACO  
CITY COUNCIL MEETING  
Monday, June 8, 2015**

**6:00 p.m. REGULAR COUNCIL MEETING**

**AGENDA**

**A. Call to order**

**B. Flag Salute**

**C. Roll Call**

**D. Approval of Agenda**

**E. Consent Agenda**

All matters, which are listed within the consent section of the agenda, have been distributed or made available for review to each member of the council prior to the meeting. Items listed are considered routine and will be enacted with one motion unless a council member specifically requests it to be removed from the Consent Agenda to be considered separately. The staff recommends the approval of the following items:

**1. Approval of Minutes (TAB 1)**

- a. May 26, 2015 Regular Meeting

**2. Claims & Vouchers (TAB 2)**

- a. Checks: 37891 to 37898 + electronic payments \$33,217.32
- b. Checks: 37899 to 37950 \$83,479.28
- GRAND TOTAL: \$116,696.60

**F. Reports**

**1. Staff Reports (TAB 3)**

- a. Chief of Police Report
- b. Clerk Report – Watershed Tour 6/9/15 1pm

**2. Council Reports**

**3. Mayor's Report**

**G. Comments of Citizens and Guests Present**

At this time, the mayor will call for any comments from the public on any subject not on the agenda. Please limit your comments to five (5) minutes. The City Council does not take any action or make any decisions during public comment. To request an item be added to a future agenda, please contact the city clerk for the council rules of procedure for agenda items.

**H. Business**

- 1. Amend Title 15.16 of the IMC, Development in Flood Areas (TAB 4) – *Cassinelli*
- 2. 2015 First Budget Amendment (TAB 5) - *Cassinelli*
- 3. Six Year Transportation Improvement Program (TAB 6) - *Jensen/Forner*

**I. Discussion**

- 1. Ordinance Adopting Title 11 – Code Enforcement (TAB 9) – *Cassinelli*
- 2. Ordinance Amending Title 1 – General Provisions (TAB 10) – *Cassinelli*
- 3. Promotion for Deputy City Clerk (TAB 11) – *Cassinelli*
- 4. Promotion for Water Plant Operator (TAB 12) – *Cassinelli*
- 5. Emergency Communications Sales Tax (TAB 13) - *Cassinelli*

**J. Correspondence and Written Reports**

- 1. Planning Commission Meeting Minutes (TAB 14)

**L. Future Discussion/Agendas**

- 1. Amendment of the Critical Areas Ordinance No. 614 – *City Planner*
- 2. Amend Ordinance No. 777 Parks and Recreation Commission - *Cassinelli*
- 3. iFocus Consulting Contract Renewal - *Cassinelli*

**M. Adjournment**

**N. Upcoming Meetings**

COUNCIL/COMMISSION	PURPOSE	DAY	DATE	TIME	LOCATION
City Council	Regular Meeting	Monday	06/08/15 06/22/15	6:00 p.m.	Community Building
City Council	Special Meeting – Watershed	Tuesday	06/09/15	1:00 p.m.	Indian Creek
Planning Commission	Regular Meeting	Tuesday	07/07/15	6:00 p.m.	Community Building
Parks & Rec. Commission	Regular Meeting	Tuesday	06/09/15	6:00 p.m.	Ilwaco Fire Hall



**CITY OF ILWACO  
CITY COUNCIL MEETING  
Tuesday May 26, 2015**

**A. Call to Order**

1. Mayor Cassinelli called the meeting to order at 6:05pm at the Ilwaco Fire Hall.

**B. Flag Salute**

1. The Pledge of Allegiance was not recited for there being no flag present.

**C. Roll Call**

1. Present: Mayor Cassinelli and Councilmembers Jensen, Karnofski, Marshall, Chambreau, and Forner.

**D. Approval of Agenda**

1. **ACTION: Motion to approve amended agenda with addition of Business Item 6, Ordinance Adopting Title 11 – Code Enforcement. (Chambreau/Forner) 5 Ayes 0 Nays 0 Abstain.**

**E. Approval of Consent Agenda**

1. Including Checks 37846 to 37847 + Electronic totaling \$19,557.19 and Checks: 37848 to 37890 totaling \$189,290.41 for a grand total of \$208,847.60.  
**ACTION: Motion to approve the consent agenda. (Chambreau/Jensen). 5 Ayes 0 Nays 0 Abstain.**

**F. Reports**

**1. Staff Reports**

**i. Treasurer's Report**

Included in council packet.

**2. Council Reports**

- i.** Councilmember Chambreau attended the DOH Workshop, and PCEMA meeting regarding the evacuation maps. Also requested that Ilwaco Merchant Association agendas be forwarded to the council.
- ii.** Councilmember Forner attended the DOH Workshop and the Port/City meeting. Guy Glenn is asking for the port contract approval.
- iii.** Councilmember Karnofski apologized for being absent from last meeting, and will need to be absent from the next meeting as well. Also attended the Town Hall presented by Well Spring for drug and alcohol education and was disappointed with the community turnout.

**3. Mayor's Report**

- i. Attended the meeting regarding Pugz Adams “Hutz for the Homeless” presented by behavioral health facilities, which was different than the expected format.
- ii. Mayor Cassinelli read an excerpt from Chapter 70.95A RCW regarding how a city can determine if a purchase is exempt from competitive bidding.

#### **G. Comments of Citizens and Guests Present**

1. None

#### **H. Public Hearing - 6 Year Transportation Plan**

1. Mayor Cassinelli closed the regular meeting at 6:24pm and opened the Public Hearing. No comments were given and the Public Hearing was closed at 6:25pm, and the regular meeting was re-opened.

#### **I. Business**

##### **1. Invoice Cloud for Utility Billing Payment Options**

- i. Councilmember Forner stated that he hopes we have customers who will use the service.

**I move to authorize the Mayor to enter into an agreement with Invoice Cloud for electronic bill pay and customer account services. (Marshall/Karnofski). 5 Ayes 0 Nays 0 Abstain.**

**I move to authorize the Mayor to enter into an agreement with Vision Municipal Solution to integrate the Invoice Cloud software. (Jensen/Karnofski). 5 Ayes 0 Nays 0 Abstain.**

##### **2. Water Treatment Plant Improvements – Rebid Change Order #1**

- i. This is the first and only change order for the job.

**I move to authorize the Mayor to execute Change Order #1 for the Water Treatment Plant Improvements – Rebid Project increasing the contract with Rotschy, Inc. (Chambreau/Jensen) 5 Ayes 0 Nays 0 Abstain**

##### **3. Source Watershed Control Plan**

**I move to enact Resolution 2015-XX therefore adopting the Source Watershed Control Plan and amending the current Water System Plan. (Marshall/Jensen) 5 Ayes 0 Nays 0 Abstain**

#### **J. Discussion**

##### **1. Amend Title 15.16 of the IMC, Development in Floor Areas**

- i. Discussion over need to change from the higher regulatory standards to the minimum required by FEMA.

**ACTION: Move to business at next meeting.**

##### **2. 2015 First Budget Amendment**

- i. Councilmember Marshall requested the negative appropriations be changed to positive in order to have a more accurate picture.

**ACTION: Move to business at next meeting.**

##### **3. Pollution Liability Insurance Quote**

- i. Discussion over how much pollution exposure the city has and cost of policy over the risk. Councilmember Marshall asked how many claims the company handles per year.

**ACTION: Discussion tabled.**

**4. Six Year Transportation Improvement Program**

- i. Councilmember Jensen requested that Whealdon Road be addressed as Water Reservoir Road.

**ACTION: Move to business at next meeting.**

**5. Source Watershed Control Plan**

- i. No questions or concerns from council.

**ACTION: Move to business at this meeting. (Marshall/Karnofski) 5 Ayes 0 Nays 0 Abstain**

**6. Ordinance Adopting Title 11 – Code Enforcement**

- i. The draft ordinance was presented to council for review.

**ACTION: Leave as Discussion for next meeting.**

**K. Correspondence and Written Reports**

- 1. None

**L. Future Discussion/Agendas**

- 1. Amendment of the Critical Areas Ordinance No. 614 – *City Planner*
- 2. Amendment of Ordinance No. 777 Parks and Rec Commission - *Cassinelli*

**M. Motion to adjourn the meeting (Karnofski) Mayor Cassinelli adjourned the meeting at 7:13 p.m.**

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Mike Cassinelli, Mayor

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Holly Beller, Deputy City Clerk



# Register

Number	Name	Fiscal Description	Amount
<u>37891</u>	Fero, Jimmie W	2015 - June - First meeting	\$1,077.02
<u>37892</u>	Gardner, Daryl W	2015 - June - First meeting	\$1,534.11
<u>37893</u>	Jensen, David	2015 - June - First meeting	\$181.91
<u>37894</u>	Williams, Thomas R	2015 - June - First meeting	\$1,010.71
<u>37895</u>	AWC - Life Insurance	2015 - June - First meeting	\$13.40
<u>37896</u>	AWC Employee Benefit Trust	2015 - June - First meeting	\$5,340.25
<u>37897</u>	Dept of Retirement - Def Comp	2015 - June - First meeting	\$280.00
<u>37898</u>	Dept of Retirement Systems	2015 - June - First meeting	\$5,558.54
Beller, Holly Celeste	ACH Pay - 1523	2015 - June - First meeting	\$744.60
Benson, Austin	ACH Pay - 1524	2015 - June - First meeting	\$958.74
Cassinelli, Michael	ACH Pay - 1525	2015 - June - First meeting	\$423.96
Chambreau, Jon H.	ACH Pay - 1526	2015 - June - First meeting	\$181.91
Forner, Gary	ACH Pay - 1528	2015 - June - First meeting	\$399.55
Gray, Richard Roy	ACH Pay - 1530	2015 - June - First meeting	\$1,452.54
Gustafson, David M.	ACH Pay - 1531	2015 - June - First meeting	\$1,442.81
Hazen, Warren M.	ACH Pay - 1532	2015 - June - First meeting	\$1,817.88
Marshall, Fred	ACH Pay - 1534	2015 - June - First meeting	\$181.91
Mc Kee, David A	ACH Pay - 1535	2015 - June - First meeting	\$1,602.57
Mulinix, Vinessa	ACH Pay - 1536	2015 - June - First meeting	\$181.11
Richardson, Troy	ACH Pay - 1537	2015 - June - First meeting	\$1,174.35
Smith, Ariel	ACH Pay - 1538	2015 - June - First meeting	\$1,266.51
Staples, Terri P	ACH Pay - 1539	2015 - June - First meeting	\$371.86
<u>Direct Deposit Run - 6/1/2015</u>	Payroll Vendor	2015 - June - First meeting	\$12,200.30
<u>EFT 6-5-15</u>	U.S. Treasury Department	2015 - June - First meeting	\$5,146.08
<u>EFT 6-5-15</u>	Discovery Benefits	2015 - June - First meeting	\$875.00
			<b>\$33,217.32</b>

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Ilwaco, and that I am authorized to authenticate and certify said claims.

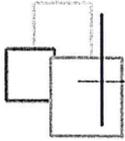
\_\_\_\_\_  
Treasurer

37891 through 37898 and electronic payments totalling \$33,217.32 are approved this 8th day of June, 2015.

\_\_\_\_\_  
Council member

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Council member

\_\_\_\_\_  
Council member



# Register

Fiscal: 2015  
Deposit Period: 2015 - June  
Check Period: 2015 - June - First meeting

Number	Name	Print Date	Amount
<b>Bank of the Pacific</b>	<b>8023281</b>		
<b>Check</b>			
<u>37899</u>	A & E Security Solutions, Inc.	6/8/2015	\$329.25
<u>37900</u>	A Sparkling Castle	6/8/2015	\$455.00
<u>37901</u>	A-1 Redi Mix	6/8/2015	\$1,060.65
<u>37902</u>	ABECO Office Systems	6/8/2015	\$153.38
<u>37903</u>	Art's Auto Parts, Inc.	6/8/2015	\$21.31
<u>37904</u>	Backflow Management Inc.	6/8/2015	\$900.00
<u>37905</u>	Baileys Saw Shop Inc.	6/8/2015	\$14.01
<u>37906</u>	Beachdog.com Inc	6/8/2015	\$177.00
<u>37907</u>	Calvert Technical Services, Inc.	6/8/2015	\$2,697.50
<u>37908</u>	Cartomation, Inc.	6/8/2015	\$50.00
<u>37909</u>	Chinook Observer	6/8/2015	\$321.60
<u>37910</u>	City of Ilwaco	6/8/2015	\$2,415.80
<u>37911</u>	City of Long Beach	6/8/2015	\$15,261.69
<u>37912</u>	Clatsop Power Equip Inc	6/8/2015	\$170.24
<u>37913</u>	Dennis CO	6/8/2015	\$434.79
<u>37914</u>	Dry Box	6/8/2015	\$161.70
<u>37915</u>	Englund Marine Supply Inc	6/8/2015	\$207.10
<u>37916</u>	Fastenal Company	6/8/2015	\$37.74
<u>37917</u>	Ford Electric Co. Inc.	6/8/2015	\$601.54
<u>37918</u>	Goulter Diamond Bar Ranch	6/8/2015	\$1,300.00
<u>37919</u>	Gray & Osborne, Inc.	6/8/2015	\$1,967.60
<u>37920</u>	Grundfos CBS Inc.	6/8/2015	\$183.43
<u>37921</u>	Hach Company	6/8/2015	\$704.74
<u>37922</u>	Hazen, Warren	6/8/2015	\$33.05
<u>37923</u>	HD Fowler Company	6/8/2015	\$1,157.51
<u>37924</u>	Heather Reynolds, Attorney	6/8/2015	\$3,366.00
<u>37925</u>	John Deere Financial	6/8/2015	\$1,082.23
<u>37926</u>	K & L Supply, Inc.	6/8/2015	\$502.70
<u>37927</u>	Kris Kaino	6/8/2015	\$412.00
<u>37928</u>	LEAF	6/8/2015	\$130.00
<u>37929</u>	MixMor	6/8/2015	\$1,905.27
<u>37930</u>	Nancy McAllister	6/8/2015	\$412.00
<u>37931</u>	Naselle Rock & Asphalt	6/8/2015	\$2,089.54
<u>37932</u>	North Central Laboratories	6/8/2015	\$1,946.44
<u>37933</u>	Oman & Son	6/8/2015	\$106.39
<u>37934</u>	One Call Concepts, Inc.	6/8/2015	\$31.07
<u>37935</u>	Peninsula Sanitation Service, Inc.	6/8/2015	\$331.73
<u>37936</u>	Peninsula Visitors Bureau	6/8/2015	\$7,875.00
<u>37937</u>	Pitney Bowes	6/8/2015	\$57.76
<u>37938</u>	PR Diamond Products, Inc.	6/8/2015	\$530.00
<u>37939</u>	PUD No 2 of Pacific County	6/8/2015	\$8,197.16
<u>37940</u>	Ryan Herco Flow Solutions	6/8/2015	\$410.97
<u>37941</u>	Sid's IGA	6/8/2015	\$9.42
<u>37942</u>	Sunset Auto Parts Inc.	6/8/2015	\$153.97
<u>37943</u>	The Friends of the Ilwaco/Ocean Park Libraries	6/8/2015	\$216.97
<u>37944</u>	Traffic Safety Supply Co.	6/8/2015	\$704.32
<u>37945</u>	US Postmaster	6/8/2015	\$114.00
<u>37946</u>	Verizon Wireless	6/8/2015	\$92.52
<u>37947</u>	WA State Dept of Revenue	6/8/2015	\$4,957.85

<u>37948</u>	Wilcox & Flegel Oil Co.	6/8/2015	\$1,536.31
<u>37949</u>	William R. Penoyar, Attorney at Law	6/8/2015	\$412.00
<u>37950</u>	Wirrkala Construction	6/8/2015	\$15,079.03
		<b>Total Check</b>	<b>\$83,479.28</b>
		<b>Total 8023281</b>	<b>\$83,479.28</b>
		<b>Grand Total</b>	<b>\$83,479.28</b>

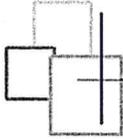
I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Ilwaco, and that I am authorized to authenticate and certify said claims.

\_\_\_\_\_  
Treasurer

37889 through 37950 totalling \$83,479.28 are approved this 8th day of June, 2015.

\_\_\_\_\_  
Council member

\_\_\_\_\_  
Council member



# Voucher Directory

Vendor	Number	Reference	Account Number	Description	Amount
<b>A &amp; E Security Solutions, Inc.</b>	<b>37899</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/4/2015 10:50:11 AM			
		131280			
		001-000-000-514-20-31-00		Office & Operating Supplies	\$30.00
		001-000-000-522-10-31-00		Office & Operating Supplies	\$239.40
		101-000-000-543-30-30-00		Office And Operating	\$59.85
		<b>Total Invoice - 6/4/2015 10:50:11 AM</b>			<b>\$329.25</b>
	<b>Total 37899</b>				<b>\$329.25</b>
<b>Total A &amp; E Security Solutions, Inc.</b>					<b>\$329.25</b>
<b>A Sparkling Castle</b>	<b>37900</b>			<b>2015 - June - First meeting</b>	
		Invoice - 5/29/2015 8:36:10 AM			
		001-000-000-514-20-31-00		Office & Operating Supplies	\$80.00
		001-000-000-522-10-31-01		Training/Attendance	\$40.00
		001-000-000-572-50-41-00		Custodian Library	\$335.00
		<b>Total Invoice - 5/29/2015 8:36:10 AM</b>			<b>\$455.00</b>
	<b>Total 37900</b>				<b>\$455.00</b>
<b>Total A Sparkling Castle</b>					<b>\$455.00</b>
<b>A-1 Redi Mix</b>	<b>37901</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/1/2015 4:08:47 PM			
		Balance Forward			
		408-000-000-594-31-64-00		Drainage Construction	\$1,060.65
		<b>Total Invoice - 6/1/2015 4:08:47 PM</b>			<b>\$1,060.65</b>
	<b>Total 37901</b>				<b>\$1,060.65</b>
<b>Total A-1 Redi Mix</b>					<b>\$1,060.65</b>
<b>ABECO Office Systems</b>	<b>37902</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/3/2015 12:41:42 PM			
		001-000-000-514-20-31-00		Office & Operating Supplies	\$38.34
		101-000-000-543-30-30-00		Office And Operating	\$38.34
		401-000-000-534-00-31-00		Operation & Maintenance	\$38.34
		409-000-000-535-00-31-01		Operations And Maintenance	\$38.36
		<b>Total Invoice - 6/3/2015 12:41:42 PM</b>			<b>\$153.38</b>
	<b>Total 37902</b>				<b>\$153.38</b>
<b>Total ABECO Office Systems</b>					<b>\$153.38</b>
<b>Art's Auto Parts, Inc.</b>	<b>37903</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/1/2015 4:07:56 PM			
		17525			
		001-000-000-576-80-31-00		Office & Operating Supplies	\$21.31
		<b>Total Invoice - 6/1/2015 4:07:56 PM</b>			<b>\$21.31</b>
	<b>Total 37903</b>				<b>\$21.31</b>
<b>Total Art's Auto Parts, Inc.</b>					<b>\$21.31</b>
<b>Backflow Management Inc.</b>	<b>37904</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/1/2015 4:17:46 PM			
		7619			
		401-000-000-534-00-41-00		Professional Services	\$900.00
		<b>Total Invoice - 6/1/2015 4:17:46 PM</b>			<b>\$900.00</b>
	<b>Total 37904</b>				<b>\$900.00</b>
<b>Total Backflow Management Inc.</b>					<b>\$900.00</b>
<b>Baileys Saw Shop Inc.</b>	<b>37905</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/1/2015 4:14:07 PM			
		101-000-000-543-30-30-02		Small Tools & Equipment	\$14.01
		<b>Total Invoice - 6/1/2015 4:14:07 PM</b>			<b>\$14.01</b>
	<b>Total 37905</b>				<b>\$14.01</b>
<b>Total Baileys Saw Shop Inc.</b>					<b>\$14.01</b>
<b>Beachdog.com Inc</b>	<b>37906</b>			<b>2015 - June - First meeting</b>	
		Invoice - 6/1/2015 4:06:04 PM			
		20404			
		001-000-000-557-20-41-00		Ilwaco Web Page	\$177.00
		<b>Total Invoice - 6/1/2015 4:06:04 PM</b>			<b>\$177.00</b>
	<b>Total 37906</b>				<b>\$177.00</b>
<b>Total Beachdog.com Inc</b>					<b>\$177.00</b>
<b>Calvert Technical Services, Inc.</b>					<b>\$177.00</b>

37907		2015 - June - First meeting	
	Invoice - 6/4/2015 10:19:17 AM		
	4232		
	401-000-000-594-34-62-03	Plant Improvements	\$2,697.50
	Total Invoice - 6/4/2015 10:19:17 AM		\$2,697.50
	Total 37907		\$2,697.50
Total Calvert Technical Services, Inc.			\$2,697.50
Cartomation, Inc.			\$2,697.50
37908		2015 - June - First meeting	
	Invoice - 5/29/2015 8:36:05 AM		
	001-000-000-557-20-41-00	Ilwaco Web Page	\$50.00
		GIS map storage	
	Total Invoice - 5/29/2015 8:36:05 AM		\$50.00
	Total 37908		\$50.00
Total Cartomation, Inc.			\$50.00
Chinook Observer			\$50.00
37909		2015 - June - First meeting	
	Invoice - 6/3/2015 12:42:10 PM		
	Derby/six-year plan		
	001-000-000-511-30-44-00	Official Publications	\$321.60
	Total Invoice - 6/3/2015 12:42:10 PM		\$321.60
	Total 37909		\$321.60
Total Chinook Observer			\$321.60
City of Ilwaco			\$321.60
37910		2015 - June - First meeting	
	Invoice - 5/28/2015 4:41:11 PM		
	001-000-000-511-60-47-02	City Sewer - Museum	\$40.81
	001-000-000-514-20-47-02	Water - City Hall	\$52.47
	001-000-000-514-20-47-03	Sewer - City Hall	\$76.87
	001-000-000-514-20-47-04	Storm Drainage	\$25.11
	001-000-000-522-50-47-01	Water	\$158.18
	001-000-000-522-50-47-02	Sewer	\$224.87
	001-000-000-522-50-47-03	Storm Drainage	\$70.47
	001-000-000-572-50-47-01	City Water	\$156.93
	001-000-000-572-50-47-02	City Sewer	\$222.10
	001-000-000-572-50-47-03	Storm Drainage	\$10.99
	001-000-000-575-50-40-02	Community Building Water	\$0.00
	001-000-000-575-50-40-03	Community Building Sewer	\$0.00
	001-000-000-576-80-47-01	Water-Parks, Sprinklers,Blk	\$188.98
	001-000-000-576-80-47-02	Sewer-Parks, Black Lake	\$51.99
	001-000-000-576-80-47-03	Storm Drainage	\$21.98
	409-000-000-535-00-47-02	Water	\$472.96
	409-000-000-535-00-47-03	Sewer	\$608.12
	409-000-000-535-00-47-05	Storm Drainage	\$32.97
	Total Invoice - 5/28/2015 4:41:11 PM		\$2,415.80
	Total 37910		\$2,415.80
Total City of Ilwaco			\$2,415.80
City of Long Beach			\$2,415.80
37911		2015 - June - First meeting	
	Invoice - 5/29/2015 8:10:26 AM		
	001-000-000-521-10-50-00	Law Enforcement Contract	\$15,261.69
	Total Invoice - 5/29/2015 8:10:26 AM		\$15,261.69
	Total 37911		\$15,261.69
Total City of Long Beach			\$15,261.69
Clatsop Power Equip Inc			\$15,261.69
37912		2015 - June - First meeting	
	Invoice - 6/2/2015 3:13:02 PM		
	134818 & 135754		
	401-000-000-534-00-31-00	Operation & Maintenance	\$122.36
	409-000-000-535-00-31-01	Operations And Maintenance	\$47.88
	Total Invoice - 6/2/2015 3:13:02 PM		\$170.24
	Total 37912		\$170.24
Total Clatsop Power Equip Inc			\$170.24
Dennis CO			\$170.24
37913		2015 - June - First meeting	
	Invoice - 6/1/2015 4:33:04 PM		
	May 2015		
	001-000-000-576-80-31-00	Office & Operating Supplies	\$16.67
	101-000-000-543-30-30-02	Small Tools & Equipment	\$53.80
	401-000-000-534-00-35-00	Small Tools & Equipment	\$334.99
	409-000-000-535-00-31-08	Office Supplies & Customer	\$29.33
	Total Invoice - 6/1/2015 4:33:04 PM		\$434.79
	Total 37913		\$434.79
Total Dennis CO			\$434.79
Dry Box			\$434.79
37914		2015 - June - First meeting	
	Invoice - 6/4/2015 10:19:42 AM		
	401-000-000-534-00-31-00	Operation & Maintenance	\$161.70
	Total Invoice - 6/4/2015 10:19:42 AM		\$161.70
	Total 37914		\$161.70
Total Dry Box			\$161.70

Englund Marine Supply Inc 37915	2015 - June - First meeting		
	Invoice - 6/3/2015 2:48:02 PM		
	May		
	101-000-000-543-30-30-00	Office And Operating	\$55.54
	401-000-000-534-00-31-00	Operation & Maintenance	\$99.72
	409-000-000-535-00-31-01	Operations And Maintenance	\$51.84
	Total Invoice - 6/3/2015 2:48:02 PM		\$207.10
Total 37915			\$207.10
Total Englund Marine Supply Inc Fastenal Company 37916	2015 - June - First meeting		
	Invoice - 5/29/2015 2:05:29 PM		
	ORAST37542		
	409-000-000-535-00-31-01	Operations And Maintenance	\$37.74
	Total Invoice - 5/29/2015 2:05:29 PM		\$37.74
Total 37916			\$37.74
Total Fastenal Company Ford Electric Co. Inc. 37917	2015 - June - First meeting		
	Invoice - 5/28/2015 4:07:19 PM		
	42750		
	401-000-000-534-00-41-03	Professional Services -	\$601.54
	Total Invoice - 5/28/2015 4:07:19 PM		\$601.54
Total 37917			\$601.54
Total Ford Electric Co. Inc. Goulter Diamond Bar Ranch 37918	2015 - June - First meeting		
	Invoice - 5/29/2015 8:35:52 AM		
	409-000-000-535-00-45-00	Spray Sludge Disposal Site	\$1,300.00
	sludge site		
	Total Invoice - 5/29/2015 8:35:52 AM		\$1,300.00
Total 37918			\$1,300.00
Total Goulter Diamond Bar Ranch Gray & Osborne, Inc. 37919	2015 - June - First meeting		
	Invoice - 6/1/2015 4:15:34 PM		
	14637.00		
	409-000-000-535-00-31-05	Doe Annual Permit	\$896.62
	Total Invoice - 6/1/2015 4:15:34 PM		\$896.62
	Invoice - 6/1/2015 4:16:07 PM		
	15505.00		
	001-000-000-514-20-41-00	Professional Services	\$1,070.98
	Total Invoice - 6/1/2015 4:16:07 PM		\$1,070.98
Total 37919			\$1,967.60
Total Gray & Osborne, Inc. Grundfos CBS Inc. 37920	2015 - June - First meeting		
	Invoice - 6/4/2015 10:20:19 AM		
	1900118571		
	401-000-000-534-00-31-00	Operation & Maintenance	\$183.43
	Total Invoice - 6/4/2015 10:20:19 AM		\$183.43
Total 37920			\$183.43
Total Grundfos CBS Inc. Hach Company 37921	2015 - June - First meeting		
	Invoice - 5/28/2015 4:06:08 PM		
	9384590		
	401-000-000-534-00-31-00	Operation & Maintenance	\$91.22
	Total Invoice - 5/28/2015 4:06:08 PM		\$91.22
	Invoice - 6/4/2015 10:18:21 AM		
	9396163		
	401-000-000-594-34-62-03	Plant Improvements	\$613.52
	Total Invoice - 6/4/2015 10:18:21 AM		\$613.52
Total 37921			\$704.74
Total Hach Company Hazen, Warren 37922	2015 - June - First meeting		
	Invoice - 6/1/2015 4:11:03 PM		
	meals		
	409-000-000-535-00-43-01	Travel/meals & Lodging	\$33.05
	Total Invoice - 6/1/2015 4:11:03 PM		\$33.05
Total 37922			\$33.05
Total Hazen, Warren HD Fowler Company 37923	2015 - June - First meeting		
	Invoice - 6/2/2015 3:23:02 PM		
	I3930323		
	401-000-000-534-00-31-00	Operation & Maintenance	\$620.51
	Total Invoice - 6/2/2015 3:23:02 PM		\$620.51
	Invoice - 6/2/2015 3:23:18 PM		

		13930320			
		401-000-000-534-00-31-00	Operation & Maintenance	\$436.22	
		408-000-000-531-38-31-01	Operations & Maintenance	\$100.78	
		<b>Total Invoice - 6/2/2015 3:23:18 PM</b>		<b>\$537.00</b>	
<b>Total 37923</b>				<b>\$1,157.51</b>	
<b>Total HD Fowler Company</b>				<b>\$1,157.51</b>	
<b>Heather Reynolds, Attorney</b>					
<b>37924</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 6/3/2015 12:43:01 PM</b>			
		001-000-000-515-30-41-00	Legal Services	\$3,366.00	
		<b>Total Invoice - 6/3/2015 12:43:01 PM</b>		<b>\$3,366.00</b>	
<b>Total 37924</b>				<b>\$3,366.00</b>	
<b>Total Heather Reynolds, Attorney</b>				<b>\$3,366.00</b>	
<b>John Deere Financial</b>					
<b>37925</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 5/29/2015 8:37:08 AM</b>			
		001-000-000-591-48-71-01	John Deer Mower 8157-96 -	\$1,000.00	
		001-000-000-592-48-83-00	John Deer Mower 8157-96 -	\$82.23	
		<b>Total Invoice - 5/29/2015 8:37:08 AM</b>		<b>\$1,082.23</b>	
<b>Total 37925</b>				<b>\$1,082.23</b>	
<b>Total John Deere Financial</b>				<b>\$1,082.23</b>	
<b>K &amp; L Supply, Inc.</b>					
<b>37926</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 6/2/2015 3:19:59 PM</b>			
		001-000-000-576-80-31-00	Office & Operating Supplies	\$100.00	
		101-000-000-542-70-31-00	Roadside Operating	\$100.70	
		401-000-000-534-00-31-00	Operation & Maintenance	\$101.00	
		408-000-000-531-38-31-01	Operations & Maintenance	\$100.00	
		409-000-000-535-00-31-01	Operations And Maintenance	\$101.00	
		<b>Total Invoice - 6/2/2015 3:19:59 PM</b>		<b>\$502.70</b>	
<b>Total 37926</b>				<b>\$502.70</b>	
<b>Total K &amp; L Supply, Inc.</b>				<b>\$502.70</b>	
<b>Kris Kaino</b>					
<b>37927</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 5/29/2015 8:34:46 AM</b>			
		001-000-000-512-50-40-03	Municipal Court Services	\$412.00	
			Court Services		
		<b>Total Invoice - 5/29/2015 8:34:46 AM</b>		<b>\$412.00</b>	
<b>Total 37927</b>				<b>\$412.00</b>	
<b>Total Kris Kaino</b>				<b>\$412.00</b>	
<b>LEAF</b>					
<b>37928</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 6/1/2015 4:22:11 PM</b>			
		5729002			
		001-000-000-514-20-31-00	Office & Operating Supplies	\$22.10	
		001-000-000-522-10-31-00	Office & Operating Supplies	\$20.80	
		101-000-000-543-30-30-00	Office And Operating	\$22.10	
		401-000-000-534-00-31-00	Operation & Maintenance	\$22.10	
		408-000-000-531-38-31-01	Operations & Maintenance	\$20.80	
		409-000-000-535-00-31-01	Operations And Maintenance	\$22.10	
		<b>Total Invoice - 6/1/2015 4:22:11 PM</b>		<b>\$130.00</b>	
<b>Total 37928</b>				<b>\$130.00</b>	
<b>Total LEAF</b>				<b>\$130.00</b>	
<b>MixMor</b>					
<b>37929</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 6/4/2015 10:12:26 AM</b>			
		039476603			
		401-000-000-594-34-62-03	Plant Improvements	\$1,905.27	
		<b>Total Invoice - 6/4/2015 10:12:26 AM</b>		<b>\$1,905.27</b>	
<b>Total 37929</b>				<b>\$1,905.27</b>	
<b>Total MixMor</b>				<b>\$1,905.27</b>	
<b>Nancy McAllister</b>					
<b>37930</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 5/29/2015 8:34:40 AM</b>			
		001-000-000-512-50-40-03	Municipal Court Services	\$412.00	
			Court services		
		<b>Total Invoice - 5/29/2015 8:34:40 AM</b>		<b>\$412.00</b>	
<b>Total 37930</b>				<b>\$412.00</b>	
<b>Total Nancy McAllister</b>				<b>\$412.00</b>	
<b>Naselle Rock &amp; Asphalt</b>					
<b>37931</b>					
			<b>2015 - June - First meeting</b>		
		<b>Invoice - 6/2/2015 3:17:29 PM</b>			
		25654			
		101-000-000-542-30-35-00	Roadway Equipment	\$351.00	
		401-000-000-534-00-31-00	Operation & Maintenance	\$819.00	
		<b>Total Invoice - 6/2/2015 3:17:29 PM</b>		<b>\$1,170.00</b>	
		<b>Invoice - 6/3/2015 2:38:35 PM</b>			
		25583			
		408-000-000-594-31-64-00	Drainage Construction	\$919.54	
		<b>Total Invoice - 6/3/2015 2:38:35 PM</b>		<b>\$919.54</b>	
<b>Total 37931</b>				<b>\$2,089.54</b>	



37940	2015 - June - First meeting		
	Invoice - 5/28/2015 4:08:25 PM		
	8129883		
	401-000-000-534-00-31-00	Operation & Maintenance	\$289.69
	Total Invoice - 5/28/2015 4:08:25 PM		\$289.69
	Invoice - 6/1/2015 4:37:20 PM		
	8101040		
	401-000-000-534-00-31-00	Operation & Maintenance	\$121.28
	Total Invoice - 6/1/2015 4:37:20 PM		\$121.28
Total Ryan Herco Flow Solutions Sid's IGA			\$410.97
37941	2015 - June - First meeting		
	Invoice - 6/2/2015 3:16:50 PM		
	2052081027		
	401-000-000-534-00-31-06	Office & Customer Service	\$9.42
	Total Invoice - 6/2/2015 3:16:50 PM		\$9.42
Total Sid's IGA Sunset Auto Parts Inc.			\$9.42
37942	2015 - June - First meeting		
	Invoice - 6/2/2015 3:11:07 PM		
	2306		
	001-000-000-576-80-31-00	Office & Operating Supplies	(\$12.80)
	001-000-000-576-80-31-00	Office & Operating Supplies	\$53.50
	101-000-000-543-30-30-00	Office And Operating	\$10.46
	101-000-000-543-30-30-00	Office And Operating	\$3.14
	409-000-000-535-00-31-01	Operations And Maintenance	\$99.67
	Total Invoice - 6/2/2015 3:11:07 PM		\$153.97
Total Sunset Auto Parts Inc. The Friends of the Ilwaco/Ocean Park Libraries			\$153.97
37943	2015 - June - First meeting		
	Invoice - 6/3/2015 8:26:40 AM		
	Changing Station		
	001-000-000-572-50-48-00	Repairs & Maintenance	\$216.97
	Total Invoice - 6/3/2015 8:26:40 AM		\$216.97
Total The Friends of the Ilwaco/Ocean Park Libraries Traffic Safety Supply Co.			\$216.97
37944	2015 - June - First meeting		
	Invoice - 6/2/2015 3:22:09 PM		
	997865		
	101-000-000-542-30-35-00	Roadway Equipment	\$704.32
	Total Invoice - 6/2/2015 3:22:09 PM		\$704.32
Total-Traffic Safety Supply Co. US Postmaster			\$704.32
37945	2015 - June - First meeting		
	Invoice - 6/2/2015 3:15:23 PM		
	Box 548		
	001-000-000-514-20-31-00	Office & Operating Supplies	\$114.00
	Total Invoice - 6/2/2015 3:15:23 PM		\$114.00
Total US Postmaster Verizon Wireless			\$114.00
37946	2015 - June - First meeting		
	Invoice - 5/29/2015 11:14:19 AM		
	9745946783		
	401-000-000-534-00-42-00	Communications	\$92.52
	Total Invoice - 5/29/2015 11:14:19 AM		\$92.52
Total Verizon Wireless WA State Dept of Revenue			\$92.52
37947	2015 - June - First meeting		
	Invoice - 5/28/2015 3:36:44 PM		
	005		
	001-000-000-317-20-00-00	Local Leasehold Excise Tax	\$4,957.85
		Accidental by DOR	
	Total Invoice - 5/28/2015 3:36:44 PM		\$4,957.85
Total WA State Dept of Revenue Wilcox & Flegel Oil Co.			\$4,957.85
37948	2015 - June - First meeting		
	Invoice - 6/3/2015 2:53:15 PM		
	001-000-000-522-10-32-00	Gasoline	\$185.94
	001-000-000-576-80-31-00	Office & Operating Supplies	\$219.30
	101-000-000-543-30-30-01	Gasoline & Oil Products	\$219.30
	401-000-000-534-00-32-00	Gasoline	\$545.12
	408-000-000-531-38-32-00	Gas/Oil Products	\$219.31
	409-000-000-535-00-32-00	Gas/oil Products	\$147.34

	Total Invoice - 6/3/2015 2:53:15 PM		\$1,536.31
Total 37948			\$1,536.31
Total Wilcox & Flegel Oil Co.			\$1,536.31
William R. Penoyar, Attorney at Law			
37949			
		2015 - June - First meeting	
	Invoice - 5/29/2015 8:34:33 AM		
	001-000-000-512-50-40-03	Municipal Court Services	\$412.00
Total 37949	Total Invoice - 5/29/2015 8:34:33 AM		\$412.00
Total William R. Penoyar, Attorney at Law			\$412.00
Wirkkala Construction			\$412.00
37950			
		2015 - June - First meeting	
	Invoice - 6/1/2015 4:26:21 PM		
	2015-364		
	409-000-000-535-00-45-00	Spray Sludge Disposal Site	\$15,079.03
Total 37950	Total Invoice - 6/1/2015 4:26:21 PM		\$15,079.03
Total Wirkkala Construction			\$15,079.03
Grand Total	Vendor Count	52	\$83,479.28

# Long Beach Police

P.O. Box 795  
Long Beach, WA 98631

lbpdchief@centurytel.net

Phone 360-642-2911  
Fax 360-642-5273

06-01-15

Page 1 of 8

To: Mayor Cassinelli and Ilwaco City Council

From: Chief Flint R. Wright

Ref.: Monthly Report for May 2015

During the month of May the Long Beach Police Department handled the following cases and calls:

## Long Beach

660 Total Incidents  
Aid Call Assists: 3  
Alarms: 10  
Animal Complaints: 12  
Assaults: 5  
Assists: 68  
(Includes 7 Law Enforcement Agency Assists Outside City Boundaries)  
Burglaries: 3  
Disturbance: 21  
Drug Inv.: 5  
Fire Call Assists: 1  
Follow Up: 110  
Found/Lost Property: 18  
Harassment: 7  
Malicious Mischief: 5  
MIP – Alcohol: 0  
MIP – Tobacco: 1  
Missing/Found Persons: 2  
Prowler: 2  
Runaway: 0  
Security Checks: 222  
Suspicious: 28  
Thefts: 18  
Traffic Accidents: 8  
Traffic Complaints: 23  
Traffic Tickets: 14  
Traffic Warnings: 45  
Trespass: 4  
Warrant Contacts: 11  
Welfare Checks: 14

## Ilwaco

378 Total Incidents  
Aid Call Assists: 0  
Alarms: 5  
Animal Complaints: 13  
Assaults: 2  
Assists: 34  
Burglaries: 1  
Disturbance: 9  
Drug Inv.: 0  
Fire Call Assists: 0  
Follow Up: 76  
Found/Lost Property: 3  
Harassment: 0  
Malicious Mischief: 0  
MIP – Alcohol: 0  
MIP – Tobacco: 0  
Missing/Found Persons: 0  
Prowler: 0  
Runaway: 0  
Security Checks: 164  
Suspicious: 7  
Thefts: 4  
Traffic Accidents: 1  
Traffic Complaints: 9  
Traffic Tickets: 7  
Traffic Warnings: 22  
Trespass: 13  
Warrant Contacts: 4  
Welfare Checks: 4

On May 1<sup>st</sup> I received a thank you email from a Mr. Botten. It is attached. Please take a moment to read it. Officer Mike Parker is an officer that I have noticed goes above and beyond to help people. He has a great deal of compassion for people, both victim's and suspect's, and it shows up in how he interacts with the public. He is a real credit to both Long Beach and Ilwaco.

Loyalty Day Weekend, May 2<sup>nd</sup> – 3<sup>rd</sup>, was busy. The weather was great and the crowds were large at both parades. We had some excitement during the Long Beach Parade with two loose horses who came very close to running into downtown but thankfully they went into the enclosure at Double R Rides. We were also kept busy with some disturbance type calls.

On the 5<sup>th</sup> I attended a meeting with the Pacific County Health Department to talk about issues involving the homeless. One of the goals of the group is to hopefully get some sort of shelter for area homeless. I will keep both councils up to date on this as I intend to stay involved with the process.

I attended a meeting with the Washington State Department of Fish and Wildlife to discuss the bear problem. The meeting was on May 7<sup>th</sup>. Fish and Wildlife is very reluctant to kill bears or even trap them. The information that I obtained from them is this: we live in bear country, secure your trash. We may want more action from them but that is not going to happen.

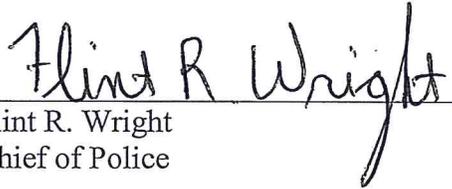
On May 15<sup>th</sup> I received a letter from the Washington State Criminal Justice Training Commission verifying that the department met the mandatory requirement for each officer to receive 24 hours of training per year. In 2014 each officer received approx. 38 hours of training. A copy of the letter is attached.

The department participated in mandatory workplace harassment training put on by Washington Cities Insurance Authority on the 18<sup>th</sup>.

On May 19<sup>th</sup> I attended a meeting in South Bend to discuss how the revenue from the .1% sales tax money, for dealing with people suffering from chemical dependency and mental health issues, will be spent. I presented from the law enforcement side the issues we deal with and how I would like to see the funds used. So many times I am asked why something can't be done with the mentally ill. I came across an article and I have attached it to this report. Please take the time to read it because it explains exactly the issues that we face when dealing with the mentally ill and why, thanks to some very misguided individuals, our hands are now tied.

Memorial Day Weekend, May 22<sup>nd</sup> – May 25<sup>th</sup>, was busy for the department. The crowds were large and the department was kept busy. There were no serious incidents over the weekend and most of the many calls dealt with locals, which is usually the case.

I attended the Memorial Day services at the Ilwaco Cemetery and the Black Lake Memorial on May 25<sup>th</sup>. The department also provided traffic control for the ceremony at Black Lake.

  
\_\_\_\_\_  
Flint R. Wright  
Chief of Police

**Flint Wright**

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**From:** Flint Wright <lbpdcchief@centurytel.net>  
**Sent:** Friday, May 01, 2015 10:18 AM  
**To:** 'Jon Botten'  
**Subject:** RE: A Thank You

Mr. Botten,

The officers name was Mike Parker. I will pass on your kind words to him.

Chief Flint R. Wright  
Long Beach Police Department

---

**From:** Jon Botten [mailto:jon@ctckids.org]  
**Sent:** Wednesday, April 29, 2015 6:26 PM  
**To:** lbpdcchief@centurytel.net  
**Subject:** A Thank You

Chief Wright,

Over the weekend of April 18 – 20<sup>th</sup> I was visiting Long Beach – specifically a home my wife and I had stayed at with our four sons about 10 years ago. We have very fond memories of spending the Fourth of July in your great city. On April 19<sup>th</sup> I was rightfully pulled over for speeding. The date matters because it was the 21<sup>st</sup> birthday of my second son who passed away 5 years ago. I wish I knew the name of the officer who pulled me over but he had a thick black beard. The purpose of this email is to thank and commend him (and you) for how he handled that stop. Fortunately, I haven't been pulled over too many times in my life but I can honestly say I have never been treated with as much respect and kindness as I was by this officer. I was clearly having a bad night due to the circumstances...but actually feel blessed to have been pulled over by this officer – a true civil servant in the best possible way. I just wanted to share that I will never forget and will be forever grateful for the compassion he showed me.

Sincerely,

Jon Botten

Mike,  
Your compassion for people  
is very obvious. Try to keep  
this quality as you continue  
in your law enforcement career.  
Chief Wright

WASHINGTON STATE  
CRIMINAL JUSTICE TRAINING COMMISSION

Susan L. Rahr, Executive Director



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19010 1st Avenue South • Burien, WA 98148 • Phone: 206-835-7300 • [www.cjtc.state.wa.us](http://www.cjtc.state.wa.us)

May 1, 2015

Chief Flint Wright  
Long Beach Police Department  
212 Pacific Avenue South  
Long Beach, WA 98631

Dear Chief Flint Wright,

The Washington State Criminal Justice Training Commission is responsible for ensuring that all local law enforcement agencies in the state meet the requirement of WAC 139-05-300 for 24 hours of annual in-service training.

Thank you for your letter attesting that you have verified through training records that all certified peace officers in your agency have received at least 24 hours of qualifying training for 2014. This puts your agency in compliance with WAC 139-05-300. I want to thank and congratulate you and your organization for meeting this requirement. The efforts of you and your staff demonstrate a strong commitment to maintaining the high level of professionalism of Washington peace officers.

I look forward to our continued collaboration in providing in-service training for you and members of your organization.

Sincerely,

A handwritten signature in black ink, appearing to read "Susan L. Rahr".

Susan L. Rahr  
Executive Director

Enclosure

# NATIONAL REVIEW

## Is There a Right to Be Mentally Ill?

The mentally ill still suffer from the court ruling on Alberta Lessard.

By E. Fuller Torrey — May 18, 2015

**A**lberta Lessard died last month. Yes, *the* Alberta Lessard, whose famous 1972 court case guaranteed, in the words of one lawyer, “that non-dangerous people have the right to be mentally ill.” In the years since the Wisconsin supreme court ruled in her favor, Ms. Lessard cost the local, state, and federal governments at least \$2 million in police, court, jail, social-services, and hospital costs, not counting her Social Security Disability Insurance (SSDI). This \$2 million, in essence, allowed her to remain mentally ill. Although Ms. Lessard was diagnosed with chronic paranoid schizophrenia, it may be questioned who was really crazy here.

Ms. Lessard had been a successful first-grade teacher until she developed late-onset paranoid schizophrenia in her early 40s. After shouting that the Communists were taking over the country and jumping from her second-floor window to escape them, she was involuntarily hospitalized. Two young public defenders just out of law school took on her case and turned it into a class-action lawsuit, intent on making it as difficult as possible to involuntarily hospitalize a person. With the Wisconsin supreme court’s decision, they got their wish. In addition to establishing important procedural protections, the court set a commitment standard based not on need for medical care but on a prediction that the person would pose an immediate danger. The court stated that there must be “an *extreme* likelihood that if the person is not confined he will do *immediate* harm to himself or another . . . and dangerousness is based upon a finding of a *recent* overt act, attempt or threat to do *substantial* harm to oneself or another” (emphasis added). The dangerousness standard established by the *Lessard* decision was adopted in part or in whole by almost every other state. According to legal scholar Alan Stone, the effect of this ruling, if strictly followed, was to “put a virtual end to involuntary confinement of psychiatric patients.”

And what happened to Ms. Lessard in the intervening decades until she died last month at the age of 94? Much of the time she lived in apartments, but at other times she was homeless, sleeping on city buses or in dumpsters. She was arrested dozens of times for misdemeanors such as striking a court clerk and breaking the glass door of the district attorney's office. On one occasion she led police on a four-mile chase through Milwaukee as she ran six red lights. On another she made "repeated threats to shoot school board members with a gun." Because of her psychotic behavior she was briefly hospitalized more than 20 times, but, because of the new focus on immediate danger in commitment standards, she could never be held long enough to be properly treated. When I interviewed her in 2006, she complained bitterly of what she perceived to be ongoing electronic surveillance, and constant harassment by public officials who were angry at her for exposing public corruption. When I asked her directly whether she had ever had schizophrenia, she responded: "Absolutely not. I have never had any of the symptoms."

One wonders what would have happened if Ms. Lessard had received proper treatment for her schizophrenia.

One wonders what would have happened if Ms. Lessard had received proper treatment for her schizophrenia. With luck she would have recovered enough to resume working. At a minimum she would have experienced less "harassment" and led a less chaotic life.

More than half of the states in the country still employ a treatment standard that protects people's right to suffer with psychosis as long as they are not dangerous. We have abandoned 700 years of Anglo-American civil law, which said that government has a responsibility to protect people who, because of mental illness, are unable to protect themselves. Consequently, there are more than a million Americans like Alberta Lessard who suffer from serious mental illness but are receiving no treatment for it. One would hope that the lessons Wisconsin learned from the Lessard case would set off a new wave of updates to state laws. Because until these laws are changed, we will continue to see far too many people lost to their illness, but not dangerous enough to qualify for care.

— *E. Fuller Torrey is the founder of the Treatment Advocacy Center and the author of American Psychosis: How the Federal Government Destroyed the Mental Illness Treatment System.*



**CITY OF ILWACO  
CITY COUNCIL MEETING**

**Tuesday June 9, 2015**

**1:00 p.m. SPECIAL COUNCIL MEETING  
AGENDA**

**A. Call to Order**

- 1. 1:00** Meet at Water Treatment plant parking lot

**B. Roll Call**

**C. Approval of the Agenda**

**D. Business**

- 1:15** Drive up to impoundment wall to view the lake and intake.
- 1:30** Walk one of the north side City owned roads to illustrate road issues and overgrown timber.
- 2:30** Meet Chance to walk a Weyerhaeuser Road and discuss their harvest operations.
- 3:30** Drive around to Goulter Road to view south side timber stands.

**E. Adjournment**

- 1. 4:30** Arrive back to treatment plant. Tour is over.



**CITY OF ILWACO  
ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, AMENDING TITLE 15.16, DEVELOPMENT IN FLOOD AREAS, TO INCORPORATE THE MOST UP-TO-DATE FLOOD DAMAGE PREVENTION REGULATIONS AS DEVELOPED BY FEMA AND THE WASHINGTON STATE DEPARTMENT OF ECOLOGY.**

**WHEREAS**, close to 300 towns, cities, counties and tribes within the State of Washington participate in the National Flood Insurance Program (NFIP), and as a condition of participation in the NFIP, communities are required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP; and

**WHEREAS**, this ordinance incorporates the most up-to-date flood damage prevention regulations, as developed by FEMA and the Washington State Department of Ecology, and includes all the minimum standards required as a condition of participation in the NFIP, and as such, will be used by FEMA and state staff as the basis for providing technical assistance and compliance reviews during the Community Assistance Contact (CAC) and Community Assistance Visit (CAV) process to ensure that federal and state laws are met; and

**WHEREAS**, Ordinances 794 and 816 do not include the most up-to-date flood damage prevention regulations, and the city desires to ensure it meets all minimum standards required as a condition of participation in the NFIP; and

**WHEREAS**, the legislature of the state of Washington has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

**WHEREAS**, the flood hazard areas of Ilwaco are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all which have the potential to adversely affect the public health, safety and general welfare; and

**WHEREAS**, these flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard, which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately flood proofed, elevated or otherwise protected from flood damage also contribute to the flood loss; and

**WHEREAS**, the City Council did meet at said time and place and did then consider the matter of said proposed policies; and

**WHEREAS**, the said proposed legislation is within the authority of the City Council to establish.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 15.16, Development in Flood Areas, is amended to read as follows:

Chapter 15.16  
DEVELOPMENT IN FLOOD AREAS

Sections:

- 15.16.010 Statutory authorization, findings of fact, purpose and objectives.
- 15.16.020 Definitions.
- 15.16.030 Interpretation.
- 15.16.040 Lands to which chapter applies.
- 15.16.050 Basis for establishing areas of special flood hazard.
- 15.16.060 Local administrator.
- 15.16.070 Development permit.
- 15.16.080 General standards for flood hazard reduction.
- 15.16.090 Specific standards for flood hazard reduction.
- 15.16.100 Regulatory floodway not designated.
- 15.16.110 Areas designated as floodways.
- 15.16.120 Standards for shallow flooding areas (AO zones).
- 15.16.130 Coastal high hazard areas.
- 15.16.140 Construction of new critical facilities.
- 15.16.150 Interpretation of FIRM boundaries.

15.16.160 Conditions for variances.

15.16.170 Abrogation and greater restrictions.

15.16.180 Warning and disclaimer of liability.

15.16.190 Violations and penalties.

15.16.010 Statutory authorization, findings of fact, purpose and objectives.

A. Purpose. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health.
2. Maximize benefit from expenditure of public money.
3. Minimize the need for rescue and relief efforts associated with flooding.
4. Avoid or minimize prolonged business interruptions.
5. Avoid or minimize damage to public facilities and infrastructure located in areas of special flood hazard.
6. Help maintain a stable tax base by providing for sound use and development of areas of special flood hazard so as to avoid or minimize future flood damage.
7. Ensure potential buyers are notified that property is in an area of special flood hazard.
8. Ensure those who occupy areas of special flood hazard assume responsibility for their actions.

B. Methods of Reducing Flood Losses. In order to accomplish its purposes, this chapter includes methods and provisions for:

1. Restricting or prohibiting uses that are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities.
2. Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction.
3. Controlling the alteration of natural floodplains, stream channels and natural protective

barriers, which help accommodate or channel floodwaters.

4. Controlling filling, grading, dredging and other development, which may increase flood damage.

5. Preventing or regulating construction of flood barriers that could divert floodwaters from their natural course or may increase flood hazards in other areas. (Ord. 794 § 2 (part), 2012)

#### 15.16.020 Definitions.

“Appeal” means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

“Area of shallow flooding” means designated as an AO or AH zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one (1) to three (3) feet above the natural ground, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate and velocity flow may be evident. AO is characterized as sheet flow. AH indicates ponding, and is shown with standard base flood elevations.

“Area of special flood hazard” means the land in the floodplain within a community that is subject to a one percent (1%) or greater chance of flooding in any given year. Designation on maps always includes the letter A or V.

“Base flood” means the flood having a one percent (1%) chance of being equaled or exceeded in any given year (also referred to as the “one hundred (100) year flood”). It is designated on Flood Insurance Rate Maps (FIRM) by the letter A or V.

“Basement” means any area of the building having its floor sub-grade (below ground level) on all sides.

“Breakaway wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

“Coastal high hazard area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as zone V1-30, VE or V.

“Critical facility” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations and installations that produce, use or store hazardous materials or hazardous waste.

“Development or development activity” means any human-made change to improved or unimproved real estate, including but not limited to:

1. Construction, clearing, grading, filling, excavating, paving, dredging, mining, drilling or otherwise significantly disturbing the soil of a site.
2. Building, installing, enlarging, replacing or substantially restoring a structure, impervious surface or water management system.
3. Subdividing land into two (2) or more parcels.
4. Construction of a permanent sign, unless expressly exempted by this title.
5. Alteration of a historic property for which authorization is required by this title.
6. Changing the use of a site so that the need for parking is increased.
7. Storage of equipment or materials located within the area of special flood hazards.

“Development permit” means any written authorization from the city that authorizes the commencement of a development activity.

“Elevated building” means, for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings or columns.

“Elevation certificate” means the official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management chapters, and determine the proper insurance premium rate with Section B completed by the city building inspector.

“Existing manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM)” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study (FIS)” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps and the water surface elevation of the base flood.

“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 (1) foot.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basements). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter found at Section 15.16.090A2 (i.e., provided there are adequate flood ventilation openings).

“Manufactured home” means a structure, transportable in one (1) or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two (2) or more manufactured home lots for rent or sale.

“New construction” means structures for which the “start of construction” commenced on or after the effective date of this chapter.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

“Recreational vehicle” means (1) a vehicle built on a single chassis; (2) four hundred (400) square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and (4) designed primarily not for use as

a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

“Start of construction,” including substantial improvements, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within one hundred eighty (180) days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, including a gas or liquid storage tank that is principally above ground.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to it’s before damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.

“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either: (1) before the improvement or repair is started; or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term can exclude: (1) any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary or safety code specifications that have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“Variance” means a grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this chapter.

“Water dependent” means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations. (Ord. 816 § 1 (part), 2013; Ord. 794 § 2 (part), 2012)

15.16.030 Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements.
- B. Deemed neither to limit nor repeal any other powers granted under state statutes. (Ord. 794 § 2 (part), 2012)

15.16.040 Lands to which chapter applies.

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the city. (Ord. 794 § 2 (part), 2012)

15.16.050 Basis for establishing areas of special flood hazard.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled **“The Flood Insurance Study for Pacific County and Incorporated Cities, dated May 18, 2015, with the accompanying Flood Insurance Rate Maps, dated May 18, 2015”** ~~“The Flood Insurance Study for the City of Ilwaco” dated August 1978, and any revisions thereto, with an accompanying Flood Insurance Rate Map (FIRM) dated February 1, 1979, and any revisions thereto,~~ are hereby adopted by reference and declared to be a part of this chapter. The FIRM is on file at Ilwaco City Hall, 120 First Ave. N., Ilwaco, WA. The best-available information for flood hazard area identification as outlined in Section 15.16.060B2 shall be the basis for regulation until a new FIRM is issued that incorporates the data utilized under Section 15.16.060B2. (Ord. 816 § 1 (part), 2013; Ord. 794 § 2 (part), 2012)

15.16.060 Local administrator.

A. Appointment. The mayor or mayor’s designee is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

B. Duties and Responsibilities. Duties of the local administrator shall include, but not be limited to:

1. Permit Threshold Review. Review all development permits to determine if the proposed development falls within areas covered by this chapter. If not, the review is complete. If so, conduct further permit review for developments in defined flood areas as follows:

- a. Confirm that permit requirements of this chapter have been satisfied.
- b. Review development permits to determine that all necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

c. Review development permits to determine if proposed development is located in the floodway. If located in the floodway, ensure that encroachment provisions of Section 15.16.110A are met.

2. Use of Other Base Flood Data (in A and V Zones). When base flood elevation data have not been provided (A and V zones) in accordance with Section 15.16.050, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer Sections 15.16.100 and 15.16.120.

3. Information to Be Obtained and Maintained.

a. Where base flood elevation data is provided through the Flood Insurance Study, FIRM or required as in subsection B2 of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

b. For all new or substantially improved flood proofed structures where base flood elevation data is provided through the flood insurance study, FIRM or as required in subsection B2 of this section:

i. Obtain and record the elevation (in relation to mean sea level) to which the structure was flood proofed.

ii. Maintain the flood proofing certifications required in Section 15.16.070B3.

c. Maintain for public inspection all records pertaining to provisions of this chapter.

C. Alteration of Watercourses.

1. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

D. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 15.16.150. (Ord. 816 § 1 (part), 2013; Ord. 794 § 2 (part), 2012)

15.16.070 Development permit.

A. Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 15.16.050. The permit shall be for all structures including “manufactured homes,” as set forth in Section 15.16.020, and for all “development,” including fill and other activities, also as set forth in the definitions, Section 15.16.020.

B. Application for Development Permit. Application for a development permit shall be made on forms furnished by the city and shall include and not be limited to the following: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question, existing or proposed structures, fill, storage of materials and drainage facilities. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.
2. Elevation to which any structure has been flood proofed relative to mean sea level.
3. Certification by a registered professional engineer or architect that flood proofing methods for any nonresidential structure meet flood proofing criteria in Section 15.16.090.
4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development. (Ord. 794 § 2 (part), 2012)

15.16.080 General standards for flood hazard reduction.

In all areas of special flood hazard, the following standards are required:

A. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.
2. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference FEMA’s “Manufactured Home Installation in Flood Hazard Areas” guidebook for additional techniques).

B. AH Zone Drainage. Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

C. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and

utility equipment resistant to flood damage.

2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

3. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

#### D. Utilities.

1. All new and replacement water supply systems shall be designed to avoid or minimize infiltration of floodwaters into the systems.

2. Any proposed water well shall be located on high ground that is not in the floodway (WAC 173-160-171).

3. New and replacement sanitary sewage systems shall be designed to avoid or minimize infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

4. On-site waste disposal systems shall be located to avoid impairment of them or contamination from them during flooding.

#### E. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage.

2. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less).

F. Review of Building Permits. Where elevation data are not available either through the flood insurance study, FIRM or from another authoritative source (Section 15.16.050), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two (2) feet above the highest adjacent grade in these zones may result in higher insurance rates. (Ord. 794 § 2 (part), 2012)

15.16.090 Specific standards for flood hazard reduction.

In all areas of special flood hazard where base flood elevation data have been provided as set forth in Section 15.16.050, the following provisions are required:

A. Residential Construction.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation.

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a registered professional engineer or architect **or must meet or exceed the following minimum criteria:**

**a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided on different sides of enclosed area.**

**b. The bottom of all openings shall be a maximum of one foot (1') above grade.**

**c. Openings may be equipped with screens, louvers or other coverings or devices provided such openings allow automatic entry and exit of floodwaters.**

and below-grade crawlspaces will not be considered basements if the following conditions are met:

a. The interior grade of a crawlspace below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.

b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the floor joist, must not exceed four (4) feet at any point.

c. There must be an adequate drainage system that removes floodwaters from the interior of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.

d. The velocity of floodwater at the site should not exceed five (5) feet per second.

e. Ductwork must either be placed above the BFE or sealed to prevent the entry of floodwaters.

f. Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the interior elevation at or above the lowest adjacent exterior grade. For

additional information, refer to FEMA Technical Bulletin 11.

B. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

1. Be flood proofed so that beneath one (1) foot above base flood level the structure is watertight with walls substantially impermeable to the passage of water.
2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
3. Be certified by a registered professional engineer or architect that proposed design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection, based on the engineer's or architect's development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 15.16.060B3b.
4. Nonresidential structures that are elevated, not flood proofed, must meet the same standards for space below the lowest floor as described in subsection A2 of this section.
5. Applicants flood proofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the flood proofed level (e.g., a building flood proofed to the base flood level will be rated as one (1) foot below).
6. Any below-grade crawlspace must comply with subsections A2d and e of this section.

C. Manufactured Homes.

1. All manufactured homes to be placed or substantially improved on sites outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of one (1) foot above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.
2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions shall be elevated so that either:

a. The lowest floor of the manufactured home is elevated a minimum of one (1) foot above the base flood elevation.

b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty-six (36) inches in height above grade and are securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

3. Any below-grade crawlspace must comply with subsections A2d and e of this section.

D. Recreational Vehicles. Recreational vehicles placed on sites are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of subsection C of this section and the elevation and anchoring requirements for manufactured homes per Section 15.16.080A2. (Ord. 816 § 1 (part), 2013; Ord. 794 § 2 (part), 2012)

15.16.100 Regulatory floodway not designated.

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one (1) foot at any point within the community. (Ord. 794 § 2 (part), 2012)

15.16.110 Areas designated as floodways.

Located within areas of special flood hazard established in Section 15.16.050 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles, and which have erosion potential, the following provisions apply:

A. Encroachments Prohibited. Encroachments, including fill, new construction, substantial improvements and other development are prohibited unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed encroachment would not result in any increase in flood levels during the base flood discharge.

B. Construction or Reconstruction Prohibited. Construction or reconstruction of residential structures is prohibited within designated floodways, except for: (1) repairs, reconstruction or improvements to a structure which do not increase the ground floor area; and (2) repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent (50%) of the market value of the structure either (a) before the repair or reconstruction is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or to structures identified as historic places shall not be included in the fifty percent (50%).

C. Compliance with Certain Provisions. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Sections 15.16.080 through 15.16.140. (Ord. 794 § 2 (part), 2012)

#### 15.16.120 Standards for shallow flooding areas (AO zones).

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from one (1) to three (3) feet above ground where a clearly defined channel does not exist or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

A. Residential Structures and Manufactured Homes. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure a minimum of one (1) foot above the depth number specified in feet on the community's FIRM (at least two (2) feet above the highest adjacent grade to the structure if no depth number is specified).

B. Nonresidential Structures. New construction and substantial improvements of nonresidential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site a minimum of one (1) foot or more above the depth number specified on the FIRM (at least two (2) feet if no depth number is specified).

2. Together with attendant utility and sanitary facilities, be completely flood proofed to or above the FIRM depth level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in Section 15.16.090B3.

C. Drainage. Adequate drainage paths shall be placed around structures on slopes to guide floodwaters around and away from proposed structures.

D. Recreational Vehicles. Recreational vehicles placed on sites within AO zones on the community's FIRM are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of subsections A and C of this section and the anchoring requirements for manufactured homes (Section 15.16.080A2). (Ord. 794 § 2 (part), 2012)

15.16.130 Coastal high hazard areas.

Located within areas of special flood hazard established in Section 15.16.050 are coastal high hazard areas, designated as zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this chapter, the following provisions shall also apply:

A. Design and Method of Construction.

1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:

- a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated a minimum of one (1) foot above the base flood level; and

- b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement resulting from wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent (1%) chance of being equaled or exceeded in any given year (a one (1) in one hundred (100) chance, based on the one hundred (100) year mean recurrence interval as defined in Section 15.16.020, Definitions).

2. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for construction, and shall certify the design and methods of construction to be used are in accordance with accepted standards of practice for meeting provisions of subsection A1 of this section.

B. Record of Elevation. Obtain the elevation (in relation to mean sea level) of the bottom of the

lowest structural member of the lowest floor (excluding pilings and columns) of each new and substantially improved structure in zones V1-30, VE and V on the community's FIRM, and ascertain whether or not each structure contains a basement. The local administrator shall maintain a record of all such information.

C. Location. All new construction within zones V1-30, VE and V on the community's FIRM shall be located landward of the reach of mean high tide.

D. Breakaway Walls.

1. All new construction and substantial improvements within zones V1-30, VE and V on the community's FIRM shall have the space below the lowest floor either free of obstructions or constructed with non-supporting breakaway walls, open wood lattice work or insect screening intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies the design as proposed meets the following conditions:

a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood.

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent (1%) chance of being equaled or exceeded in any given year (a one (1) in one hundred (100) chance, based on the one hundred (100) year mean recurrence interval as defined in Section 15.16.020, Definitions).

2. If breakaway walls are utilized space enclosed or partially enclosed by such walls shall be useable solely for parking of vehicles, building access or storage. Such space shall not be used for human habitation.

E. Fill Prohibited. Use of fill for structural support of buildings within zones V1-30, VE and V on the community's FIRM shall be prohibited.

F. Alteration of Sand Dunes Prohibited. Human-made alteration of sand dunes within zones V1-30, VE and V on the community's FIRM that would increase potential flood damage shall be prohibited.

G. Manufactured Homes. All manufactured homes to be placed or substantially improved within zones V1-30, V and VE on the community's FIRM on sites located outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall meet standards of subsections A through F of this section. Manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V and VE on the FIRM shall meet requirements of Chapter 15.84.

H. Recreational Vehicles. RVs placed on sites within zones V1-30, V and VE on the community's FIRM are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of Section 15.16.080A2, and subsections A through F of this section. (Ord. 794 § 2 (part), 2012)

15.16.140 Construction of new critical facilities.

A. Location. Construction of new critical facilities shall be, to the extent feasible, located outside the limits of the special flood hazard area (SFHA) (one hundred (100) year floodplain).

B. Site. Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available.

C. Lowest Floor Elevation. Critical facilities constructed within the SFHA shall have the lowest floor elevated a minimum three (3) feet above the base flood level or to the height of the five hundred (500) year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above.

D. Flood proofing and Sealing. Flood proofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

E. Access Routes. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible. (Ord. 794 § 2 (part), 2012)

15.16.150 Interpretation of FIRM boundaries.

Make interpretations where needed, as to exact location of the boundaries of the areas of special

flood hazards (e.g., where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program. (Ord. 794 § 2 (part), 2012)

15.16.160 Conditions for variances.

A. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases, the technical justification required for issuing the variance increases.

B. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

D. Variances shall only be issued upon:

1. A showing of good and sufficient cause.

2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

E. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

F. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of flood proofing than watertight or dry-flood proofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection D1 of this section, and otherwise complies with Sections 15.16.080A, D and E of the general standards.

G. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk. (Ord. 794 § 2 (part), 2012)

15.16.170 Abrogation and greater restrictions.

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail. (Ord. 794 § 2 (part), 2012)

15.16.180 Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 794 § 2 (part), 2012)

15.16.190 Violations and penalties.

Penalties for violations of this chapter shall be assessed and enforced pursuant to Section 15.02.140, Violations and penalties. (Ord. 794 § 2 (part), 2012)

**Section 4.** Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 5.** Effective Date. This Ordinance takes effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS XTH DAY OF XXXX, 2015.**

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Mike Cassinelli, Mayor

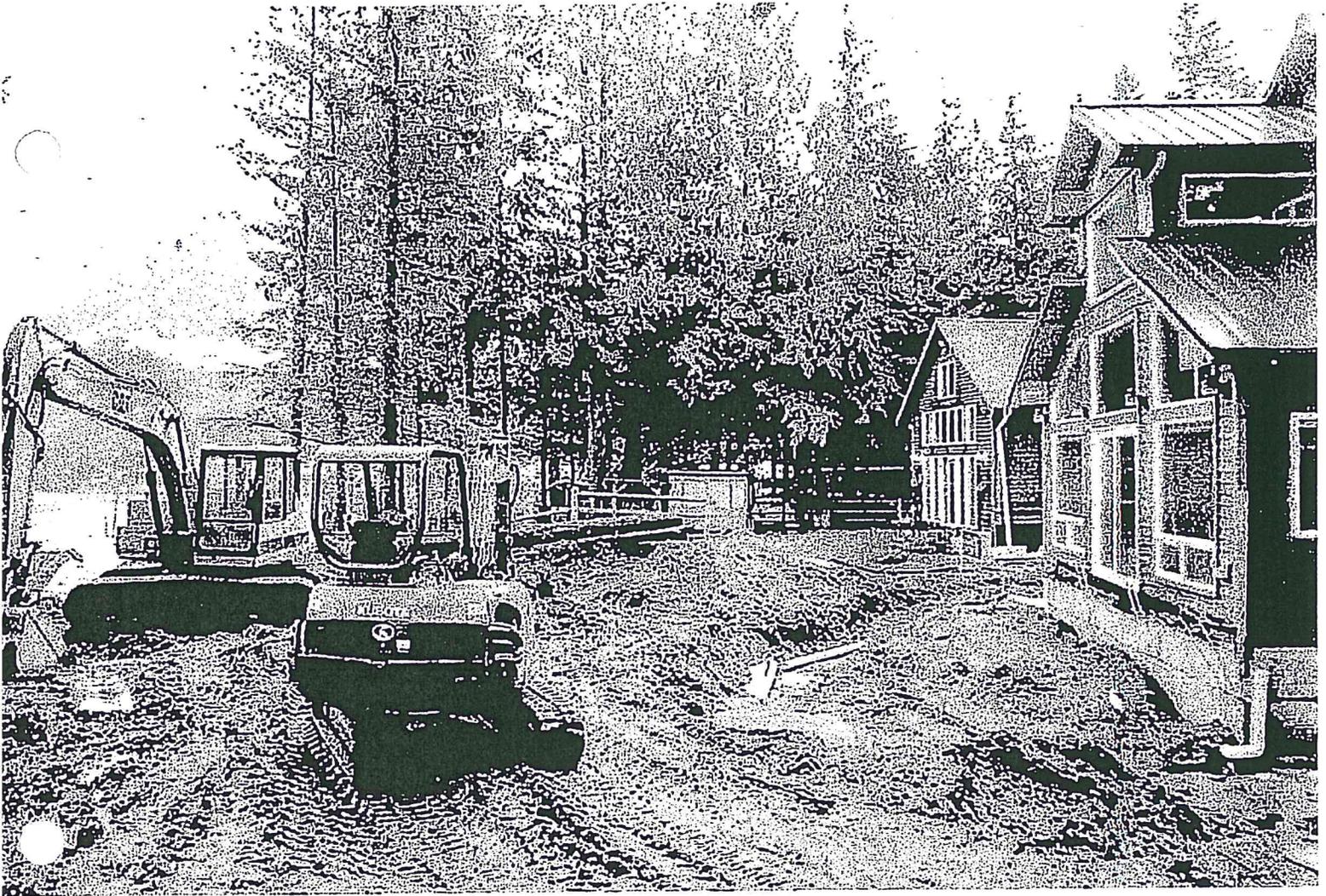
ATTEST:

\_\_\_\_\_  
Holly Beller, Deputy City Clerk

VOTE	Jensen	Karnofski	Marshall	Chambreau	Fornier	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED:

EFFECTIVE:



Technical Bulletin

# Crawlspace Construction

for Buildings Located in Special Flood Hazard Areas  
National Flood Insurance Program Interim Guidance

FEMA TB-11 / November 2001



**FEMA**

## Key Word/Subject Index

This index allows the user to locate key words and subjects in this Technical Bulletin. The Technical Bulletin User's Guide (printed separately) provides references to key words and subjects throughout the Technical Bulletins. For definitions of selected terms, refer to the Glossary at the end of this bulletin.

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Any comments on the Technical Bulletins should be directed to:

Federal Emergency Management Agency  
Federal Insurance and Mitigation Administration  
500 C Street, SW.  
Washington, DC 20472

## TECHNICAL BULLETIN 11-01

### **Crawlspace Construction for Buildings Located in Special Flood Hazard Areas National Flood Insurance Program Interim Guidance**

#### **Introduction**

Crawlspace foundations are commonly used to elevate the lowest floors of residential buildings located in Special Flood Hazard Areas (SFHAs) above the Base Flood Elevation (BFE). This Technical Bulletin provides guidance on crawlspace construction and supports a recent policy decision to allow construction of crawlspaces with interior grades up to 2 feet below the lowest adjacent exterior grade (LAG), referred to as below-grade crawlspaces, provided that other requirements are met. Prior to that decision, below-grade crawlspaces were considered basements under the National Flood Insurance Program (NFIP) Floodplain Management Regulation definitions at 44 CFR 59.1 and were not permitted below the BFE. This requirement had been established because below-grade crawlspace foundation walls are exposed to increased forces during flood conditions, such as hydrostatic and saturated soil forces.

In many parts of the country, a common practice is to construct crawlspaces with the interior floor 1 or 2 feet below-grade by either (1) backfilling against the exterior of the foundation wall or (2) excavating the crawlspace area to construct footings that result in a below-grade crawlspace floor. Because FEMA wishes to recognize common construction practices that do not increase flood damage, FEMA recently completed a review of the policy for residential crawlspace construction. In this review, the construction practices for below-grade crawlspaces were examined to determine whether a crawlspace that was 1 or 2 feet below grade would increase the flood damage potential to the foundation walls or result in additional damages to the building.

The review included (1) an engineering analysis that assessed the damage potential of floodwaters acting upon below-grade crawlspace foundation walls, (2) a review of available NFIP claims history for crawlspaces, and (3) input from FEMA Regional staff and NFIP General Adjusters of any firsthand knowledge of crawlspace damage during flood events. A review of NFIP claims history and staff input did not reveal evidence of structural damage or failure of crawlspace foundation walls during flood events. The engineering analysis indicates that below-grade foundation walls, when constructed according to common practice, have sufficient capacity to resist flood-related forces from standing and low-velocity floodwaters, subject to the requirements outlined in this bulletin.

This Technical Bulletin presents NFIP minimum requirements for crawlspace construction in the SFHA, including (1) requirements for all crawlspace construction and (2) requirements for below-grade crawlspace construction that may extend 1 or 2 feet below grade in the SFHA. This Technical Bulletin also provides a best practices approach for preferred and below-grade crawlspace construction, illustrated in Figures 1 and 2, including design limitations, water accumulation and drainage considerations, and use of flood-resistant materials. While communities may now allow below-grade crawlspace construction in the SFHA, this type of construction is not the recommended construction method, because of the increased likelihood of problems with water accumulation,

moisture damage, and drainage. The use of crawlspace construction with the interior grade at or above the LAG minimizes the occurrence of these problems. This interim guidance on residential crawlspace construction is based on conclusions from the recently completed review and analyses.

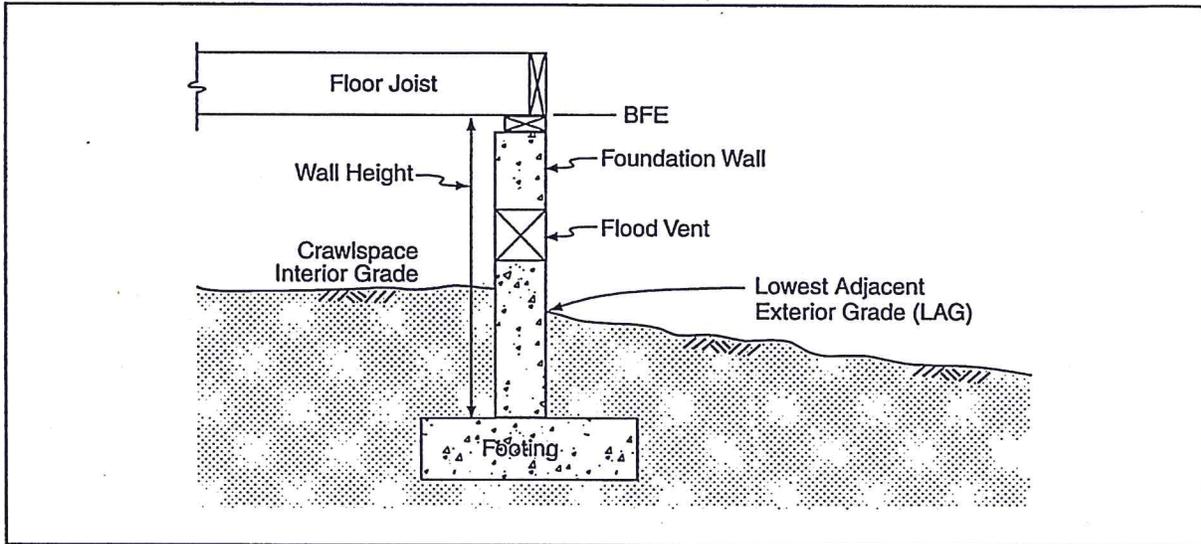


Figure 1 Preferred crawlspace construction.

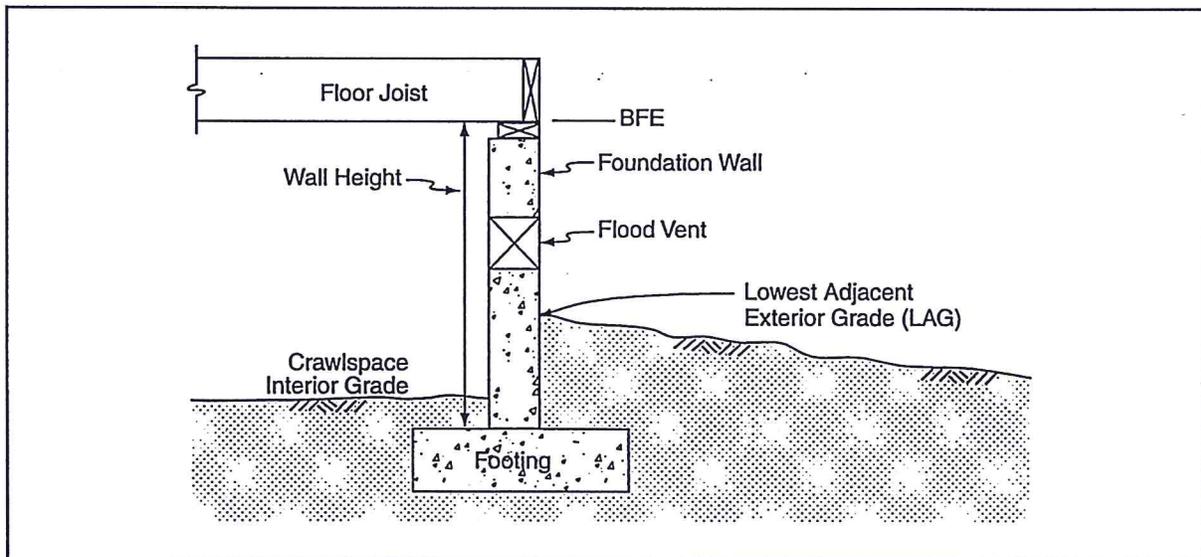


Figure 2 Below-grade crawlspace construction.

This Technical Bulletin provides **interim** guidance. The decision whether or not to allow below-grade crawlspace construction will be left to each community. Communities should review applicable state laws, regulations, and building codes, and consult with their State NFIP Coordinator to determine whether below-grade crawlspace construction is permitted in their state. Communities that choose to allow below-grade crawlspace construction will be required to amend their floodplain management ordinance to include the provisions outlined in the following sections on below-grade crawlspace construction. Please note that communities that choose to amend their ordinance to allow for below-grade crawlspaces in response to this interim guidance may also be required at some later date to amend their ordinance if FEMA adopts revised regulations that differ from the interim guidance.

#### Note

Any building utility systems within the crawlspace must be elevated above the BFE or designed so that floodwaters cannot enter or accumulate within system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed to prevent the entry of floodwaters. FEMA 348, *Protecting Building Utilities from Flood Damage*, provides detailed guidance on designing and constructing flood-resistant utility systems.

## NFIP Requirements

NFIP requirements that apply to crawlspace construction are found in sections 44 CFR 60.3(a)(3) and 60.3(c)(2) and (c)(5) of the NFIP regulations. NFIP requirements that apply to all crawlspaces are discussed in the first section below. The second section lists additional requirements that must be applied to crawlspaces that have interior grades below the LAG. The additional requirements are intended to ensure that these crawlspaces are not subject to flood-related loads that would exceed the strength of the crawlspace wall and lead to failure and significant damage to the building or to other damage related to poor drainage in the below-grade crawlspace.

### NFIP Requirements for All Crawlspace Construction

Crawlspaces are commonly used as a method of elevating buildings in SFHAs to or above the BFE. General NFIP requirements that apply to all crawlspaces that have enclosed areas or floors below the BFE include the following:

- The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required openings discussed in the next bullet. Because of hydrodynamic loads, crawlspace construction is not recommended in areas with flood velocities greater than 5 feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.
- The crawlspace is an enclosed area below the BFE and, as such, must have openings that equalize hydrostatic pressures by allowing for the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than 1 foot above the lowest adjacent exterior grade. For guidance on flood openings, see Technical Bulletin 1-93, *Openings in Foundation Walls*.

- Crawlspace construction is not permitted in V zones. Open pile or column foundations that withstand storm surge and wave forces are required in V zones.
- Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawlspace used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE. Insulation is not a flood-resistant material. When insulation becomes saturated with floodwater, the additional weight often pulls it away from the joists and flooring. Ductwork or other utility systems located below the insulation may also pull away from their supports. See the section Flood-Resistant Materials, on page 8 this bulletin. For more detailed guidance on flood-resistant materials see Technical Bulletin 2-93, *Flood-Resistant Materials Requirements*.
- Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters. For further guidance on the placement of building utility systems in crawlspaces, see FEMA 348, *Protecting Building Utilities From Flood Damage*.

Flood-resistant materials and utilities, access, and ventilation openings in crawlspaces are further addressed in this bulletin.

### **Additional Requirements for Below-Grade Crawlspaces**

If a community chooses to amend its floodplain management ordinance to allow for the construction of below-grade crawlspaces, the ordinance must include the following provisions in addition to the above requirements:

- The interior grade of a crawlspace below the BFE must not be more than 2 feet below the lowest adjacent exterior grade (LAG), shown as D in Figure 3.
- The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed 4 feet (shown as L in Figure 3) at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas (see the section Guidance for Pre-Engineered Crawlspaces, on page 7 of this bulletin). This limitation will also prevent these crawlspaces from being converted into habitable spaces.
- There must be an adequate drainage system that removes floodwaters from the interior area of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means.
- The velocity of floodwaters at the site should not exceed 5 feet per second for any crawlspace. For velocities in excess of 5 feet per second, other foundation types should be used.

- Below-grade crawlspace construction in accordance with the requirements listed above will not be considered basements.

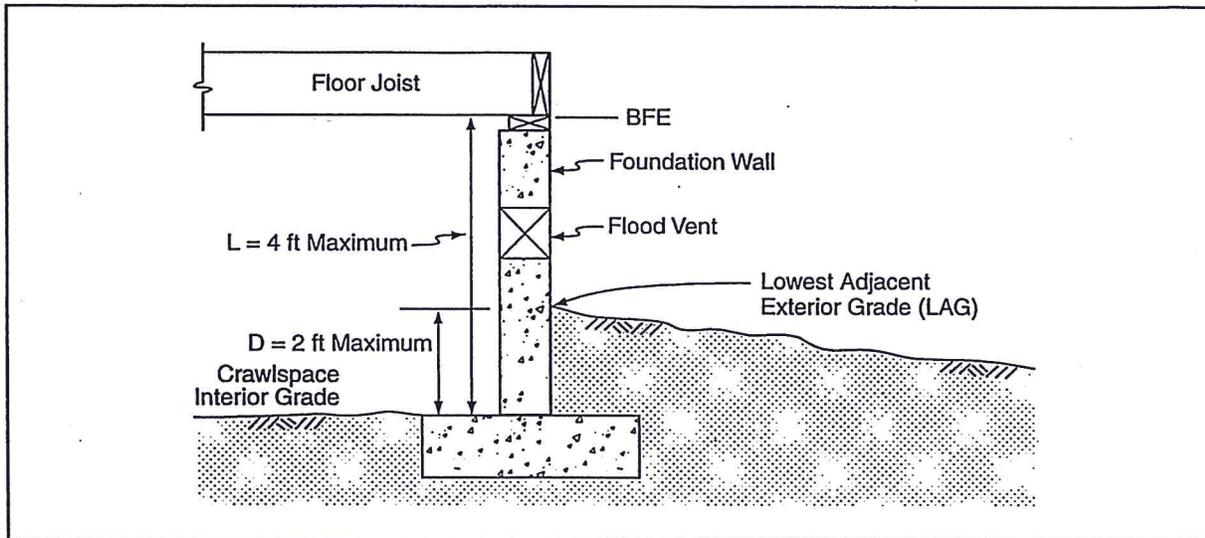


Figure 3 Requirements regarding below-grade crawlspace construction.

Drainage considerations for below-grade crawlspaces are further addressed in this bulletin. For additional information regarding this interim guidance, please contact the FEMA Regional Office or State NFIP Coordinator. Local FEMA regional offices are listed in the separately printed *User's Guide to Technical Bulletins* and may be found at the [www.fema.gov](http://www.fema.gov) website.

### Flood Forces on Buildings

Buildings in flood hazard areas may be subjected to a variety of flood-induced forces. During inundation by standing or low-velocity floodwaters, a building must primarily resist hydrostatic pressures from saturated soils and floodwaters. This situation is typical of broad, flat floodplains and floodways along lower-gradient rivers and streams. During inundation by high-velocity floodwaters, a building must also resist hydrodynamic forces and impact loads. High-velocity floodwaters are found in floodways along steeper-gradient rivers, sheet flow down slopes, or coastal areas with storm surge and waves.

The community Flood Insurance Study contains a Floodway Data Table that includes data on mean velocities (in feet per second) within the floodway at each cross section along the river or stream. The mean averages the higher channel velocities with lower velocities in overbank areas that are within the floodway. Generally, velocities at sites outside of the floodway are lower than the mean floodway velocities listed in the Floodway Data Table. For example, if the mean floodway velocity at a cross section is 4 feet per second, the velocities outside the floodway are likely less than that value. If in doubt about the floodway velocity or in areas where the mean floodway velocity may exceed 5 feet per second, contact an engineer knowledgeable in hydraulics and hydrology to determine flood velocities at the building site.

Buildings located in areas subject to ponding or low-velocity flows must primarily address issues related to hydrostatic loads on the crawlspace foundation, removal of floodwater and sediment from the crawlspace area, and other NFIP floodproofing requirements, such as protecting or elevating utilities and using flood-resistant materials.

Crawlspace construction is not recommended in A zones with high-velocity floodwaters (greater than 5 feet per second). Other types of foundations, such as open pile or column foundations, that allow floodwaters to flow freely beneath the building are recommended for these areas.

### **Flood Insurance Implications**

In May 1999, the Federal Insurance Administration (now the Federal Insurance and Mitigation Administration – FIMA) revised the rates being charged for residential buildings with below-grade crawlspaces. These rates were considerably lower than the full basement rates previously charged for these buildings. In May 2001, these rates were further reduced based on engineering analyses performed by FEMA. However, rates for buildings with below-grade crawlspaces will be higher than rates for buildings that have the interior grade of the crawlspace at or above the adjacent exterior grade, since the risk of flood damage is greater for the former type of construction. As more experience is gained on crawlspace losses, FEMA will continue to reassess those rates, factoring in the cost of pumping out and cleaning these areas, as well as physical damage to the foundation. Buildings with below-grade crawlspaces currently cannot be rated by an insurance agent using the NFIP *Flood Insurance Manual*. They must be submitted for a special rating under the Submit-to-Rate process by underwriters knowledgeable in this type of construction. FIMA will determine whether the rating for this type of construction should be standardized and included in the Flood Insurance Application and the *Flood Insurance Manual*.

#### **Caution**

Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the preferred crawlspace construction, with the interior elevation at or above the lowest adjacent exterior grade (LAG).

### **Best Practices for Crawlspace Foundations in SFHA**

The NFIP preferred construction practice for excavated crawlspace construction is to backfill the interior area so that it is level with or higher than the LAG. If trench construction is used to place footings, the trenches should be backfilled to the level of the adjacent exterior grade, to avoid ponding of water. A reinforced masonry or concrete foundation wall that is anchored to the footing and lowest floor with connectors will provide the best performance in flood events. This type of construction will better resist hydrostatic pressures against the foundation and limit the amount of water that will pond under the building after a flood.

The 2000 *International Residential Code* (IRC 2000), Section 327, addresses flood-resistant design and construction of foundation walls in flood hazard areas and is consistent with NFIP requirements. The IRC requires that all structural systems in floodplains be designed, connected, and anchored to resist flotation, collapse, or permanent lateral movement due to structural loads from flooding equal to the design flood elevation. The IRC limits the unsupported height of plain (unreinforced) 8-inch hollow masonry walls to 4 feet for flood-resistant construction, where the unsupported height is the distance from the finished grade of the enclosed crawlspace area to the top of the foundation wall.

A community that chooses to allow the construction of below-grade crawlspaces should develop a multi-hazard approach that also resists other loads from hazards such as wind and earthquake. Crawlspace foundation walls must bear or resist all loads that may be experienced during their useful service life.

### Guidance for Pre-Engineered Below-Grade Crawlspace Foundations

FEMA performed an engineering analysis to determine the effect of flood-related forces on crawlspace foundation walls (see Figure 4), particularly for unreinforced concrete and concrete masonry construction. The analysis followed design criteria prescribed in the American Concrete Institute (ACI) *Building Code Requirements and Commentary for Reinforced Concrete* (ACI 318-92) and the 1999 Masonry Standards Joint Committee (MSJC) *Building Code Requirements and Specifications*. Flood analysis procedures from FEMA 259, *Engineering Principles and Practices of Retrofitting Flood-Prone Residential Structures*, were used for calculating hydrostatic and hydrodynamic forces. A comprehensive analysis of two flood scenarios was conducted:

- Fully saturated soil and 1-foot-deep floodwaters, that just reach the bottom of the flood opening, but have not flooded the enclosed crawlspace area.
- A fully flooded crawlspace area with velocity floodwaters acting on the above-grade portion of the crawlspace walls.

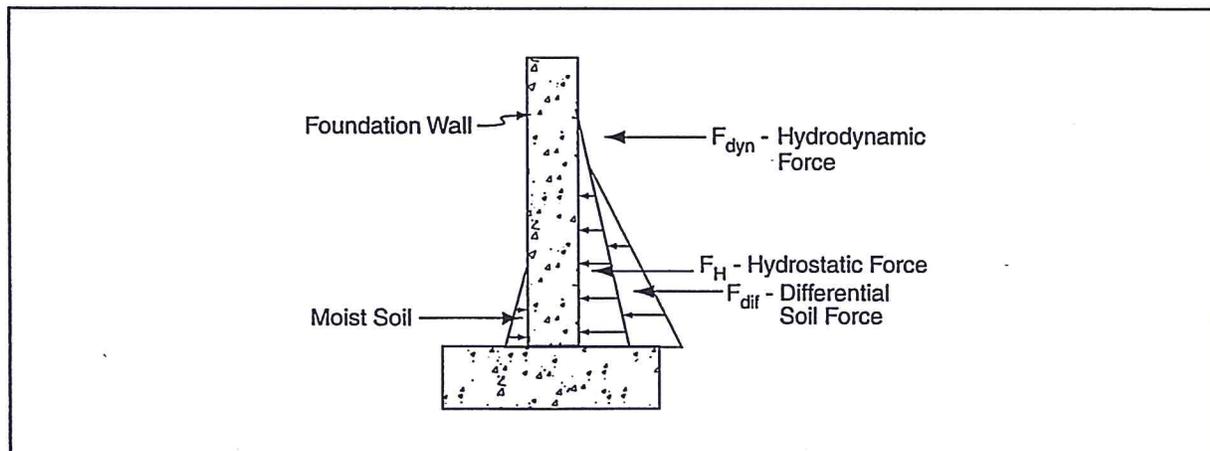


Figure 4 Flood-related forces on a crawlspace wall.

The first analysis evaluated four parameters: (1) wall construction of unreinforced 8-inch and 12-inch masonry block with standard M or S mortar type and 6-inch plain concrete foundation walls, (2) depth of interior crawlspace grade relative to the LAG, (3) flood velocity, and (4) soil types suitable for construction. The hydrostatic pressures from the saturated soil and 1-foot-deep floodwaters cause the maximum loads to occur in the lower section of the wall below the exterior grade. This analysis assumed that the 1-foot-deep floodwaters have a low velocity and are unlikely to cause significant hydrodynamic or impact loads on the foundation wall.

The second analysis evaluated hydrodynamic forces for varied flood depths and flood velocities on a foundation wall. The analysis assumed that the crawlspace was provided with proper openings to equalize hydrostatic pressure. Impact forces were not included in the analysis, as the shallow flood depths and low-velocity flows are not expected to produce significant debris impact damage. This decision was further supported by the lack of field evidence concerning wall failures from impact by debris. However, debris impact should be considered as part of the foundation wall design and analysis for riverine or other locations with high-velocity flows.

These analyses found that a crawlspace can resist flood-related forces for flood velocities up to 5 feet per second, if the wall height is limited to 4 feet and the top of the footing is no more than 2 feet below-grade.

As a result of these analyses, FEMA has determined that communities may allow below-grade residential crawlspace construction provided that the interior grade of the crawlspace does not exceed 2 feet below the LAG, and the height of the crawlspace measured from the interior grade of the crawlspace at any point to the bottom of the lowest horizontal structural member of the lowest floor does not exceed 4 feet for the specified wall construction.

### **Flood-Resistant Materials**

All structural and non-structural building materials at or below the BFE must be flood resistant. A flood-resistant material is defined as any building material capable of withstanding direct and prolonged contact with floodwaters without sustaining significant damage. Flood-resistant materials must be used for all building elements subject to exposure to floodwaters, including floor joists, insulation, and ductwork. If flood-resistant materials are not used for building elements, those elements must be elevated above the BFE. The term “prolonged contact” means at least 72 hours, and the term “significant damage” means any damage requiring more than low-cost cosmetic repair (such as painting). This requirement applies regardless of the expected or historical flood duration. Technical Bulletin 2-93, *Flood Resistant Materials Requirements*, further defines NFIP criteria for flood-resistant materials and material categories.

### **Drainage Considerations**

A significant issue associated with below-grade crawlspaces is drainage of the interior crawlspace area after normal precipitation and flood events. Moisture damage to a building can be severe when water remains standing in the crawlspace area after precipitation or a flood event. Standing water also creates significant health hazards, such as mosquito breeding grounds and growth of bacteria, mold, and fungus. If crawlspace access doors do not remain secured, standing water also presents a drowning hazard.

The interim guidance for below-grade crawlspace construction requires an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace within a reasonable time. A maximum time of 72 hours is recommended to minimize floodwater contact with crawlspace materials and related moisture damage. The interim guidance is not prescriptive as to a type of drainage system; however, it is the community's responsibility to ensure that all buildings with below-grade crawlspaces have adequate drainage systems to ensure that accumulated waters drain from the crawlspace area. Communities must include in their ordinances a provision that addresses drainage requirements.

Drainage systems for below-grade crawlspace areas will vary because of site characteristics and soil types. Possible drainage system options include perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means. Fill dirt placed around the outside of the foundation wall should be adequately graded to slope away from the foundation and aid natural site drainage. If lots are too small to provide adequate site drainage through grading, other methods, such as swales, may be used to provide drainage away from the structure. Foundation drainage practices required by local codes must be met in addition to drainage of the enclosed below-grade crawlspace area.

Any enclosed area below the BFE is subject to flood forces and must have exterior wall openings whose bottom edges are no more than 1-foot above the LAG, in accordance with NFIP regulations. The wall openings allow the automatic entry and exit of floodwaters and for the floodwaters to reach equal levels on both sides of the foundation wall. The only exception to this requirement is dry floodproofed non-residential buildings. Further information on NFIP requirements for flood openings in foundation walls is found in Technical Bulletin 1-93, *Openings in Foundation Walls*.

### **Utilities, Access, and Ventilation Openings**

NFIP regulations at 44 CFR, Section 60.3(a)(3)(iv) require that "utility systems shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located to prevent water from entering or accumulating within the components during conditions of flooding." The utility systems can be either elevated above the BFE or floodproofed in a manner that prevents floodwaters from infiltrating or accumulating within any component of the system. Elevation is the recommended method of mitigation for utility systems in A Zones. FEMA 348, *Protecting Building Utilities from Flood Damage*, provides detailed guidance on designing and constructing flood-resistant utility systems.

Access and ventilation openings shall be provided to the crawlspace area according to the local building codes and regulations. Access and ventilation requirements under the IRC 2000 include the following:

- An access opening 18 inches by 24 inches shall be provided to the enclosed crawlspace area to allow access to mechanical equipment or building utilities located in this space.
- The minimum net area of required ventilation openings shall not be less than 1 square foot for each 150 square feet of enclosed crawlspace area. One such ventilation opening shall be within 3 feet of each corner of the building. Ventilation openings shall be covered with an appropriate material.

## **The NFIP**

The NFIP was created by Congress in 1968 to provide federally backed flood insurance coverage, because flood coverage was generally unavailable from private insurance companies. The NFIP is also intended to reduce future flood losses by identifying floodprone areas and ensuring that new development in these areas is adequately protected from flood damage. The NFIP is based on an agreement between the Federal government and participating communities that have been identified as floodprone. FEMA, through the Federal Insurance and Mitigation Administration, makes flood insurance available to the residents of a participating community, provided the community adopts and enforces adequate floodplain management regulations that meet the minimum NFIP requirements. The NFIP encourages communities to adopt floodplain management ordinances that exceed the minimum NFIP criteria set forth in Part 60 of the NFIP Floodplain Management Regulations (44 CFR 60). Included in the NFIP requirements, found under Title 44 of the U.S. Code of Federal Regulations, are minimum building design and construction standards for buildings located in SFHAs. Through their floodplain management ordinances or laws, communities adopt the NFIP performance standards for new, substantially improved, and substantially damaged buildings in floodprone areas identified on FEMA's Flood Insurance Rate Maps (FIRMs).

## **Technical Bulletins**

This publication is one of a series of Technical Bulletins that FEMA has produced to provide guidance concerning the building performance standards of the NFIP. These standards are contained in 44 CFR 60.3. The bulletins are intended for use primarily by state and local officials responsible for interpreting and enforcing NFIP regulations and by members of the development community, such as design professionals and builders. New bulletins, as well as updates of existing bulletins, are issued periodically, as necessary. The bulletins do not create regulations; rather they provide specific guidance for conforming with the minimum requirements of existing NFIP regulations. Users of the Technical Bulletins who need additional guidance concerning NFIP regulatory requirements should contact the Mitigation Division of the appropriate FEMA Regional Office or the local floodplain administrator. NFIP Technical Bulletin 0, *User's Guide to Technical Bulletins*, lists the bulletins issued to date, provides a key word/subject index for the entire series, and lists addresses and telephone numbers for FEMA's 10 Regional Offices.

## **Ordering Information**

Copies of FEMA Technical Bulletins can be obtained from the FEMA Regional Office that serves your area. In addition, Technical Bulletins and other FEMA publications can be ordered from the FEMA Publications Distribution Facility at 1-800-480-2520. The Technical Bulletins are also available at the FEMA web site at [www.fema.gov](http://www.fema.gov).

## Further Information

The following publications contain information related to the guidance presented in this bulletin:

American Concrete Institute. 1992. ACI318-92. *Building Code Requirements and Commentary for Reinforced Concrete*. Detroit, MI.

American Society of Civil Engineers. 1998. SEI/ASCE 7-98. *Minimum Design Loads for Buildings and Other Structures*. Reston, VA.

American Society of Civil Engineers. 1998. SEI/ASCE 24-98. *Flood Resistant Design and Construction*. Reston, VA.

Federal Emergency Management Agency. 1986. *Floodproofing Non-Residential Structures*. FEMA 102. Washington, DC.

Federal Emergency Management Agency. 1999. *Protecting Building Utility Systems From Flood Damage*. FEMA 348. Washington, DC.

Federal Emergency Management Agency. 2001. *Engineering Principles and Practices for Retrofitting Flood-Prone Residential Structures*. FEMA 259. Washington, DC.

International Code Council. 2000. *International Building Code*. Birmingham, AL.

International Code Council. 2000. *International Residential Code*. Birmingham, AL.

Masonry Standards Joint Committee. 1999. ACI 530-99/ASCE 5-99/TMS 402-99. *Building Code Requirements for Masonry Structures*.

National Association of Home Builders Research Foundation, Inc. 1977. *Manual for the Construction of Residential Basements in Non-Coastal Flood Environs*. Upper Marlboro, MD. March.

National Association of Home Builders Research Center, Inc. 2000. *Residential Structural Design Guide: 2000 Edition*. Upper Marlboro, MD.

National Concrete Masonry Association. 2000. TR121. *Concrete Masonry Design Tables*. Herndon, VA.

## Glossary

**Base Flood** – The flood that has a 1-percent probability of being equaled or exceeded in any given year (also referred to as the 100-year flood).

**Basement** – Any area of a building having its floor subgrade (below ground level) on all sides.

**Community** – Any state or area or political subdivision thereof, or any Indian tribe or authorized tribal organization, or Alaska Native village or authorized native organization, which has the authority to adopt and enforce floodplain management regulations for the areas within its jurisdiction.

**Federal Emergency Management Agency (FEMA)** – The independent Federal agency that, in addition to carrying out other activities, administers the NFIP.

**Federal Insurance and Mitigation Administration (FIMA)** – The component of FEMA directly responsible for administering the flood hazard identification, floodplain management, and flood insurance activities of the NFIP.

**Flood Insurance Rate Map (FIRM)** – The insurance and floodplain management map issued by FEMA that identifies, on the basis of detailed or approximate analysis, areas of 100-year flood hazard in a community.

**Floodprone area** – Any land area susceptible to being inundated by flood water from any source.

**New construction/structure** – For floodplain management purposes, new construction means structures for which the start of construction commences on or after the effective date of a floodplain management regulation adopted by a community and includes subsequent improvements to the structure. For flood insurance purposes, these structures are often referred to as “post-FIRM” structures.

**Special Flood Hazard Area (SFHA)** – Area subject to inundation by the base flood, designated Zone A, A1-30, AE, AH, AO, V, V1-V30, or VE.

**CITY OF ILWACO  
ORDINANCE NO. 816**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, AMENDING TITLE 15.16, DEVELOPMENT IN FLOOD AREAS, TO COMPLY WITH THE STATE MODEL ORDINANCE AND THE NATIONAL FLOOD INSURANCE PROGRAM.**

**WHEREAS**, on January 23, 2012, the City of Ilwaco adopted the most up-to-date state model flood damage prevention ordinance with minor modifications; and

**WHEREAS**, the Washington State Department of Ecology has reviewed the ordinance as adopted and identified minor deficiencies that need to be corrected in order to be fully compliant with the National Flood Insurance Program (NFIP) and state floodplain regulations.

**WHEREAS**, the said proposed legislation is within the authority of the City Council to establish.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** Chapter 15.16, Development in Flood Areas, is amended to read as follows:

**Chapter 15.16  
DEVELOPMENT IN FLOOD AREAS**

**15.16.020 Definitions.**

“Development or development activity” means any human-made change to improved or unimproved real estate, including but not limited to:

1. Construction, clearing, grading, filling, excavating, paving, dredging, mining, drilling or otherwise significantly disturbing the soil of a site.
2. Building, installing, enlarging, replacing or substantially restoring a structure, impervious surface or water management system.
3. Subdividing land into two or more parcels.
4. Construction of a permanent sign, unless expressly exempted by this title.
5. Alteration of a historic property for which authorization is required by this title.
6. Changing the use of a site so that the need for parking is increased.
7. Storage of equipment or materials located within the area of special flood hazards.

**15.16.050 Basis for establishing areas of special flood hazard.**

The areas of special flood hazard identified by the federal insurance administration in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for the City of Ilwaco" dated August 1978 1987, and any revisions thereto, with an accompanying Flood

Insurance Rate Maps (FIRMs) dated February 1, 1979, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The FIRM is on file at Ilwaco City Hall, 120 First Av N, Ilwaco, WA. The best available information for flood hazard area identification as outlined in subsection 15.16.060.B2 of this chapter shall be the basis for regulation until a new FIRM is issued that incorporates the data utilized under subsection 15.16.060.B2 of this chapter.

**15.16.060 Local administrator.**

B. Duties and responsibilities. Duties of the local administrator shall include, but not be limited to:

1. Permit threshold review. Review all development permits to determine if the proposed development falls within areas covered by this chapter. If not, the review is complete. If so, conduct further permit review for developments in defined flood areas as follows:

- a. Confirm that permit requirements of this chapter have been satisfied.
- b. Review development permits to determine that all flood-related necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.
- c. Review development permits to determine if proposed development is located in the floodway. If located in the floodway, ensure that encroachment provisions of subsection 15.16.110.A of this chapter are met.

**15.16.090 Specific standards for flood hazard reduction.**

In all areas of special flood hazard where base flood elevation data have been provided as set forth in section 15.16.050 of this chapter, the following provisions are required:

- A. Residential construction.
  1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one foot (1') above the base flood elevation.
  2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect and below grade crawl spaces will not be considered basements if the following conditions are met: ~~or must meet or exceed the following minimum criteria:~~
    - a. The interior grade of a crawlspace below the BFE must not be more than 2 feet below the lowest adjacent exterior grade.
    - b. The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the floor joist, must not exceed 4 feet at any point.
    - c. There must be an adequate drainage system that removes floodwaters from the interior of the crawlspace. The enclosed area should be drained within a reasonable time after a flood event.
    - d. The velocity of floodwater at the site should not exceed 5 feet per second.

e. Ductwork must either be placed above the BFE or sealed to prevent the entry of floodwaters.

f. Buildings that have below-grade crawlspaces will have higher flood insurance premiums than buildings that have the interior elevation at or above the lowest adjacent exterior grade. For additional information, refer to FEMA Technical Bulletin 11.

~~a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided on different sides of each enclosed area.~~

~~b. The bottom of all openings shall be a maximum of one foot (1') above grade.~~

~~c. Openings may be equipped with screens, louvers or other coverings or devices provided such openings allow automatic entry and exit of floodwaters.~~

~~d. The interior grade of a crawlspace below the base flood elevation shall not be more than two feet (2') below the lowest adjacent exterior grade.~~

~~e. The height of a below grade crawl space, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall shall not exceed four feet (4') at any point.~~

**Section 4.** Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 5.** Effective Date. This Ordinance takes effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 8TH DAY OF APRIL, 2013.**

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Mike Cassinelli, Mayor

ATTEST:

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PJ Kezele, Deputy City Clerk

VOTE	Jensen	Mulinix	Marshall	Chambreau	Forner	Cassinelli
Ayes	X	X	X	X	X	
Nays						
Abstentions						
Absent						

PUBLISHED: April 17, 2013

EFFECTIVE: April 22, 2013

**CITY OF ILWACO  
ORDINANCE NO. 794**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, AMENDING TITLE 15.16, DEVELOPMENT IN FLOOD AREAS, TO INCORPORATE THE MOST UP-TO-DATE FLOOD DAMAGE PREVENTION REGULATIONS AS DEVELOPED BY FEMA AND THE WASHINGTON STATE DEPARTMENT OF ECOLOGY.**

**WHEREAS**, close to 300 towns, cities, counties and tribes within the State of Washington participate in the National Flood Insurance Program (NFIP), and as a condition of participation in the NFIP, communities are required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP; and

**WHEREAS**, this ordinance incorporates the most up-to-date flood damage prevention regulations, as developed by FEMA and the Washington State Department of Ecology, and includes all the minimum standards required as a condition of participation in the NFIP, and as such, will be used by FEMA and state staff as the basis for providing technical assistance and compliance reviews during the Community Assistance Contact (CAC) and Community Assistance Visit (CAV) process to ensure that federal and state laws are met; and

**WHEREAS**, Ordinances 533, 700, 701 and 702 do not include the most up-to-date flood damage prevention regulations developed by FEMA and the Washington State Department Ecology in 2004, and the city desires to ensure it meets all minimum standards required as a condition of participation in the NFIP; and

**WHEREAS**, the legislature of the state of Washington has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry; and

**WHEREAS**, the flood hazard areas of Ilwaco are subject to periodic inundation, which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief and impairment of the tax base, all which have the potential to adversely affect the public health, safety and general welfare; and

**WHEREAS**, these flood losses are caused by the cumulative effect of obstructions in areas of special flood hazard, which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated or otherwise protected from flood damage also contribute to the flood loss; and

**WHEREAS**, the City Council did meet at said time and place and did then consider the matter of said proposed policies; and

WHEREAS, the said proposed legislation is within the authority of the City Council to establish.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Ordinances 533, 700, 701 and 702 are repealed in their entirety.

Section 2. Chapter 15.16, Development in Flood Areas, is amended to read as follows:

**Chapter 15.16  
DEVELOPMENT IN FLOOD AREAS**

**Sections:**

~~15.16.010 — City of Ilwaco flood damage prevention ordinance.~~

~~15.16.020 — Development in flood areas.~~

~~15.16.010 — City of Ilwaco flood damage prevention ordinance.~~

~~A. — The city of Ilwaco flood damage prevention ordinance, as it is now written or will later be amended, is adopted by reference as part of this title.~~

~~B. — The flood damage prevention ordinance sets up specific standards for structures located in areas subject to the one hundred (100) year flood and specific provisions for substantial improvements to or construction of new structures in areas subject to the one hundred (100) year flood. (Ord. 627 (part), 1999)~~

~~15.16.020 — Development in flood areas.~~

~~A. — Persons proposing development within flood areas must comply with the requirements of the most recent update of the flood damage prevention ordinance in addition to the regulations of this title.~~

~~B. — When work in or near water is proposed, a JARPA (joint aquatic resource permits application) form must be submitted. (Ord. 627 (part), 1999)~~

**Sections:**

**15.16.010 Purpose.**

**15.16.020 Definitions.**

**15.16.030 Interpretation.**

**15.16.040 Lands to which chapter applies.**

**15.16.050 Basis for establishing areas of special flood hazard.**

**15.16.060 Local administrator.**

**15.16.070 Development permit.**

**15.16.080 General standards for flood hazard reduction.**

**15.16.090 Specific standards for flood hazard reduction.**

**15.16.100 Regulatory floodway not designated.**

**15.16.110 Areas designated as floodways.**

**15.16.120 Standards for shallow flooding areas (AO zones).**

**15.16.130 Coastal high hazard areas.**

**15.16.140 Construction of new critical facilities.**

**15.16.150 Interpretation of FIRM boundaries.**

**15.16.160 Conditions of variances.**

**15.16.170 Abrogation and greater restrictions.**

**15.16.180 Warning and disclaimer of liability.**

**15.16.190 Violations and Penalties.**

**15.16.010 Statutory authorization, findings of fact, purpose and objectives.**

Purpose. It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health.
2. Maximize benefit from expenditure of public money.
3. Minimize the need for rescue and relief efforts associated with flooding.
4. Avoid or minimize prolonged business interruptions.
5. Avoid or minimize damage to public facilities and infrastructure located in areas of special flood hazard.
6. Help maintain a stable tax base by providing for sound use and development of areas of special flood hazard so as to avoid or minimize future flood damage.
7. Ensure potential buyers are notified that property is in an area of special flood hazard.
8. Ensure those who occupy areas of special flood hazard assume responsibility for their actions.

D. Methods of reducing flood losses. In order to accomplish its purposes, this chapter includes methods and provisions for:

1. Restricting or prohibiting uses that are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities.
2. Requiring that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction.
3. Controlling the alteration of natural floodplains, stream channels and natural protective barriers, which help accommodate or channel floodwaters.
4. Controlling filling, grading, dredging and other development, which may increase flood damage.
5. Preventing or regulating construction of flood barriers that could divert floodwaters from their natural course or may increase flood hazards in other areas.

**15.16.020 Definitions.**

“Appeal” means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

“Area of shallow flooding” means designated as an AO or AH Zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one to three feet above the natural ground, a clearly defined channel does not exist, the path of flooding is unpredictable and indeterminate and velocity flow may be evident. AO is characterized as sheet flow. AH indicates ponding, and is shown with standard base flood elevations.

“Area of special flood hazard” means the land in the flood plain within a community that is subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

“Base flood” means the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the “100-year flood”). It is designated on Flood Insurance Rate Maps (FIRM) by the letters A or V.

“Basement” means any area of the building having its floor sub-grade (below ground level) on all sides.

“Breakaway wall” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces without causing damage to the elevated portion of the building or supporting foundation system.

“Coastal high hazard area” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-30, VE or V.

“Critical facility” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations and installations that produce, use or store hazardous materials or hazardous waste.

“Development or development activity” means any human-made change to improved or unimproved real estate, including but not limited to:

1. Construction, clearing, grading, filling, excavating, paving, dredging, mining, drilling or otherwise significantly disturbing the soil of a site.
2. Building, installing, enlarging, replacing or substantially restoring a structure, impervious surface or water management system.
3. Subdividing land into two or more parcels.
4. Construction of a permanent sign, unless expressly exempted by this title.
5. Alteration of a historic property for which authorization is required by this title.
6. Changing the use of a site so that the need for parking is increased.

“Development permit” means any written authorization from the city that authorizes the commencement of a development activity.

“Elevation Certificate” means the official form (FEMA Form 81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management chapters, and determine the proper insurance premium rate with Section B completed by the city building inspector.

“Elevated building” means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings or columns.

“Existing manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“Expansion to an existing manufactured home park or subdivision” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets and either final site grading or the pouring of concrete pads).

“Flood or flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood Insurance Rate Map (FIRM) ” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“Flood Insurance Study (FIS) ” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps and the water surface elevation of the base flood.

“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.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basements). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this chapter found at 15.16.090.A2 (i.e. provided there are adequate flood ventilation openings).

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“Manufactured home park or subdivision” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“New construction” means structures for which the “start of construction” commenced on or after the effective date of this chapter.

“New manufactured home park or subdivision” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the

construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

“Recreational vehicle” means 1) a vehicle built on a single chassis; 2) 400 square feet or less when measured at the largest horizontal projection; 3) designed to be self-propelled or permanently towable by a light duty truck; and 4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

“Start of construction,” including substantial improvements, means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, including a gas or liquid storage tank, that is principally above ground.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either: 1) before the improvement or repair is started; or 2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term can exclude: 1) any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary or safety code specifications that have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or 2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“Variance” means a grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this chapter.

“Water dependent” means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

#### **15.16.030 Interpretation.**

In the interpretation and application of this chapter, all provisions shall be:

- A. Considered as minimum requirements.
- B. Deemed neither to limit nor repeal any other powers granted under state statutes.

**15.16.040 Lands to which chapter applies.**

This chapter shall apply to all areas of special flood hazard within the jurisdiction of the city.

**15.16.050 Basis for establishing areas of special flood hazard.**

The areas of special flood hazard identified by the federal insurance administration in a scientific and engineering report entitled "The Flood Insurance Study For The City of Ilwaco" dated August 1987, 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 this chapter. The FIRM is on file at Ilwaco City Hall, 120 First Av N, Ilwaco, WA. The best available information for flood hazard area identification as outlined in subsection 15.16.060.B2 of this chapter shall be the basis for regulation until a new FIRM is issued that incorporates the data utilized under subsection 15.16.060.B2 of this chapter.

**15.16.060 Local administrator.**

A. Appointment. The mayor or mayor's designee is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

B. Duties and responsibilities. Duties of the local administrator shall include, but not be limited to:

1. Permit threshold review. Review all development permits to determine if the proposed development falls within areas covered by this chapter. If not, the review is complete. If so, conduct further permit review for developments in defined flood areas as follows:

a. Confirm that permit requirements of this chapter have been satisfied.

b. Review development permits to determine all flood-related necessary permits have been obtained from those federal, state or local governmental agencies from which prior approval is required.

c. Review development permits to determine if proposed development is located in the floodway. If located in the floodway, ensure that encroachment provisions of subsection 15.16.110.A of this chapter are met.

2. Use of other base flood data (in A and V zones). When base flood elevation data have not been provided (A and V zones) in accordance with section 15.16.050 of this chapter, the local administrator shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer sections 15.16.100 and 15.16.120 of this chapter.

3. Information to be obtained and maintained.

a. Where base flood elevation data is provided through the flood insurance study, FIRM or required as in subsection B2 of this section, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.

b. For all new or substantially improved floodproofed structures where base flood elevation data is provided through the flood insurance study, FIRM or as required in subsection B2 of this section:

i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed.

ii. Maintain the floodproofing certifications required in subsection 15.16.070.B3 of this chapter.

c. Maintain for public inspection all records pertaining to provisions of this chapter.

C. Alteration of Watercourses.

1. Notify adjacent communities and the department of ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the federal insurance administration.

2. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

D. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in subsection 15.16.150 of this chapter.

#### **15.16.070 Development permit**

A. Permit required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in section 15.16.050 of this chapter. The permit shall be for all structures including "manufactured homes," as set forth in 15.16.020 of this chapter, and for all "development," including fill and other activities, also as set forth in the definitions, 15.16.020 of this chapter.

B. Application for development permit: Application for a development permit shall be made on forms furnished by the city and shall include and not be limited to the following: plans in duplicate drawn to scale showing the nature, location, dimensions and elevations of the area in question, existing or proposed structures, fill, storage of materials and drainage facilities. Specifically, the following information is required:

1. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures.

2. Elevation to which any structure has been floodproofed relative to mean sea level.

3. Certification by a registered professional engineer or architect that floodproofing methods for any nonresidential structure meet floodproofing criteria in subsection 15.16.090 of this chapter.

4. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

#### **15.16.080 General standards for flood hazard reduction.**

In all areas of special flood hazard, the following standards are required:

A. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.

2. All manufactured homes must likewise be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over the top or frame ties to ground anchors (reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

B. AH Zone drainage. Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

C. Construction materials and methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

3. Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

D. Utilities.

1. All new and replacement water supply systems shall be designed to avoid or minimize infiltration of floodwaters into the systems.

2. Any proposed water well shall be located on high ground that is not in the floodway (Washington administrative code 173-160-171).

3. New and replacement sanitary sewage systems shall be designed to avoid or minimize infiltration of floodwaters into the systems and discharges from the systems into floodwaters.

4. On site waste disposal systems shall be located to avoid impairment of them or contamination from them during flooding.

E. Subdivision Proposals.

1. All subdivision proposals shall be consistent with the need to minimize flood damage.

2. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

3. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.

4. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least fifty (50) lots or five (5) acres (whichever is less).

F. Review of building permits. Where elevation data are not available either through the flood insurance study, FIRM or from another authoritative source (subsection 15.16.050 of this chapter), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding,

etc., where available. Failure to elevate at least two feet (2') above the highest adjacent grade in these zones may result in higher insurance rates.

**15.16.090 Specific standards for flood hazard reduction.**

In all areas of special flood hazard where base flood elevation data have been provided as set forth in section 15.16.050 of this chapter, the following provisions are required:

A. Residential construction.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated a minimum of one foot (1') above the base flood elevation.

2. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria.

a. A minimum of two (2) openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided on different sides of each enclosed area.

b. The bottom of all openings shall be a maximum of one foot (1') above grade.

c. Openings may be equipped with screens, louvers or other coverings or devices provided such openings allow automatic entry and exit of floodwaters.

d. The interior grade of a crawlspace below the base flood elevation shall not be more than two feet (2') below the lowest adjacent exterior grade.

e. The height of a below-grade crawl space, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall shall not exceed four feet (4') at any point.

B. Nonresidential Construction: New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated a minimum of one foot (1') above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

1. Be floodproofed so that beneath one foot (1') above base flood level the structure is watertight with walls substantially impermeable to the passage of water.

2. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

3. Be certified by a registered professional engineer or architect that proposed design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection, based on the engineer's or architect's development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in subsection 15.16.060.B3b of this chapter.

4. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection A2 of this section.

5. Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot (1') below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as 1 foot [1'] below).

6. Any below grade crawlspace must comply with subsection 15.16.090.A2d and e of this title.

C. Manufactured Homes.

1. All manufactured homes to be placed or substantially improved on sites outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated a minimum of one foot (1') above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

2. Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision that are not subject to the above manufactured home provisions shall be elevated so that either:

a. The lowest floor of the manufactured home is elevated a minimum of one foot (1') above the base flood elevation.

b. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than thirty six inches (36") in height above grade and are securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

3. Any below grade crawlspace must comply with subsection 15.16.090.A2d and e of this title.

D. Recreational Vehicles. Recreational vehicles placed on sites are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of subsection C of this section and the elevation and anchoring requirements for manufactured homes per subsection 15.16.080.A2 of this chapter.

**15.16.100 Regulatory floodway not designated.**

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot (1') at any point within the community.

**15.16.110 Areas designated as floodways.**

Located within areas of special flood hazard established in section 15.16.050 of this chapter are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris and potential projectiles, and which have erosion potential, the following provisions apply:

A. Encroachments prohibited. Encroachments, including fill, new construction, substantial improvements and other development are prohibited unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that a proposed encroachment would not result in any increase in flood levels during the base flood discharge.

B. Construction or reconstruction prohibited. Construction or reconstruction of residential structures is prohibited within designated floodways, except for: 1) repairs, reconstruction or improvements to a structure which do not increase the ground floor area; and 2) repairs, reconstruction or improvements to a structure, the cost of which does not exceed fifty percent (50%) of the market value of the structure either, a) before the repair or reconstruction is started, or b) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or to structures identified as historic places shall not be included in the fifty percent (50%).

C. Compliance with certain provisions. If subsection A of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of sections 15.16.080 through 15.16.140 of this chapter.

**15.16.120 Standards for shallow flooding areas (AO Zones).**

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from one to three feet (1' to 3') aboveground where a clearly defined channel does not exist or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

A. Residential structures and manufactured homes. New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure a minimum of one foot (1') above the depth number specified in feet on the community's FIRM (at least two feet [2'] above the highest adjacent grade to the structure if no depth number is specified).

B. Nonresidential structures. New construction and substantial improvements of nonresidential structures within AO zones shall either:

1. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site a minimum of one foot (1') or more above the depth number specified on the FIRM (at least 2 feet if no depth number is specified).

2. Together with attendant utility and sanitary facilities, be completely floodproofed to or above the FIRM depth level so that any space below that level is watertight with walls

substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in subsection 15.16.090.B3 of this chapter.

C. Drainage. Adequate drainage paths shall be placed around structures on slopes to guide floodwaters around and away from proposed structures.

D. Recreational vehicles: Recreational vehicles placed on sites within AO zones on the community's FIRM are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of subsections A and C of this section and the anchoring requirements for manufactured homes (subsection 15.16.080.A2 of this chapter).

### **15.16.130 Coastal high hazard areas.**

Located within areas of special flood hazard established in section 15.16.050 of this chapter are coastal high hazard areas, designated as zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this chapter, the following provisions shall also apply:

A. Design and method of construction.

1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:

a. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated a minimum of one foot (1') above the base flood level; and

b. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement resulting from wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent (1%) chance of being equaled or exceeded in any given year (a one in one hundred chance, based on the 100-year mean recurrence interval as defined in 15.16.020, "Definitions.").

2. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for construction, and shall certify the design and methods of construction to be used are in accordance with accepted standards of practice for meeting provisions of subsection A1 of this section.

B. Record of elevation. Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of each new and substantially improved structure in zones V1-30, VE and V on the community's FIRM, and ascertain whether or not each structure contains a basement. The local administrator shall maintain a record of all such information.

C. Location. All new construction within zones V1-30, VE and V on the community's FIRM shall be located landward of the reach of mean high tide.

D. Breakaway Walls.

1. All new construction and substantial improvements within zones V1-30, VE and V on the community's FIRM shall have the space below the lowest floor either free of obstructions or constructed with non-supporting breakaway walls, open wood lattice work or insect screening intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies the design as proposed meets the following conditions:

a. Breakaway wall collapse shall result from water load less than that which would occur during the base flood.

b. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent (1%) chance of being equaled or exceeded in any given year (a one in one hundred chance, based on the 100-year mean recurrence interval as defined in 15.16.020, "Definitions.").

2. If breakaway walls are utilized space enclosed or partially enclosed by such walls shall be useable solely for parking of vehicles, building access or storage. Such space shall not be used for human habitation.

E. Fill prohibited. Use of fill for structural support of buildings within zones V1-30, VE and V on the community's FIRM shall be prohibited.

F. Alteration of sand dunes prohibited. Human-made alteration of sand dunes within zones V1-30, VE and V on the community's FIRM that would increase potential flood damage shall be prohibited.

G. Manufactured homes. All manufactured homes to be placed or substantially improved within zones V1-30, V and VE on the community's FIRM on sites located outside of a manufactured home park or subdivision, in a new manufactured home park or subdivision, in an expansion to an existing manufactured home park or subdivision or in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood shall meet standards of subsections A through F of this section. Manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V and VE on the FIRM shall meet requirements of Title 15.84.

H. Recreational Vehicles: RVs placed on sites within zones V1-30, V and VE on the community's FIRM are required to either:

1. Be on the site for fewer than one hundred eighty (180) consecutive days, and be fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions.

2. Meet the requirements of subsection 15.16.080.A2 of this chapter, and subsections A through F of this section.

**15.16.140 Construction of new critical facilities.**

A. Location. Construction of new critical facilities shall be, to the extent feasible, located outside the limits of the special flood hazard area (SFHA) (100-year floodplain).

B. Site. construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available.

C. Lowest floor elevation. Critical facilities constructed within the SFHA shall have the lowest floor elevated a minimum three feet (3') above the base flood level or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above.

D. Floodproofing and sealing. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

E. Access routes. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

**15.16.150 Interpretation of FIRM boundaries**

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program.

**15.16.160 Conditions for Variances**

A. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases, the technical justification required for issuing the variance increases.

B. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

C. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

D. Variances shall only be issued upon:

1. A showing of good and sufficient cause.

2. A determination that failure to grant the variance would result in exceptional hardship to the applicant.

3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

E. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

F. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 15.16.160.D1, and otherwise complies with Sections 15.16.080.A, D and E of the General Standards.

G. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk.

**15.16.170 Abrogation and greater restrictions.**

This chapter is not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**15.16.180 Warning and disclaimer of liability.**

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof or the federal insurance administration, for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

**15.16.190 Violations and penalties.**

Penalties for violations of this chapter shall be assessed and enforced pursuant to 15.02.140, Violations and penalties.

**Section 3.** Section 15.08.065, Fees established, is amended to read as follows:

**15.08.065 Fees established. Development Fees**

Application and review fees plus actual costs related to development permits shall be established as appropriate by resolution of the Ilwaco city council. ~~The following fees shall apply to the respective permits.~~ Additionally, the applicant shall be financially responsible for any and all engineering services and other professional consulting/legal services deemed necessary by the city for complete permit and planning review. These additional fees, if any, shall be paid in full

prior to the issuance of final decisions on any application requiring administrative action or signing of any permits final plats, mylars etc.

Flood plain permit — \$200.00

**Section 4.** Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 5.** Effective Date. This Ordinance takes effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS 23RD DAY OF JANUARY, 2012.**

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Mike Cassinelli, Mayor

ATTEST:

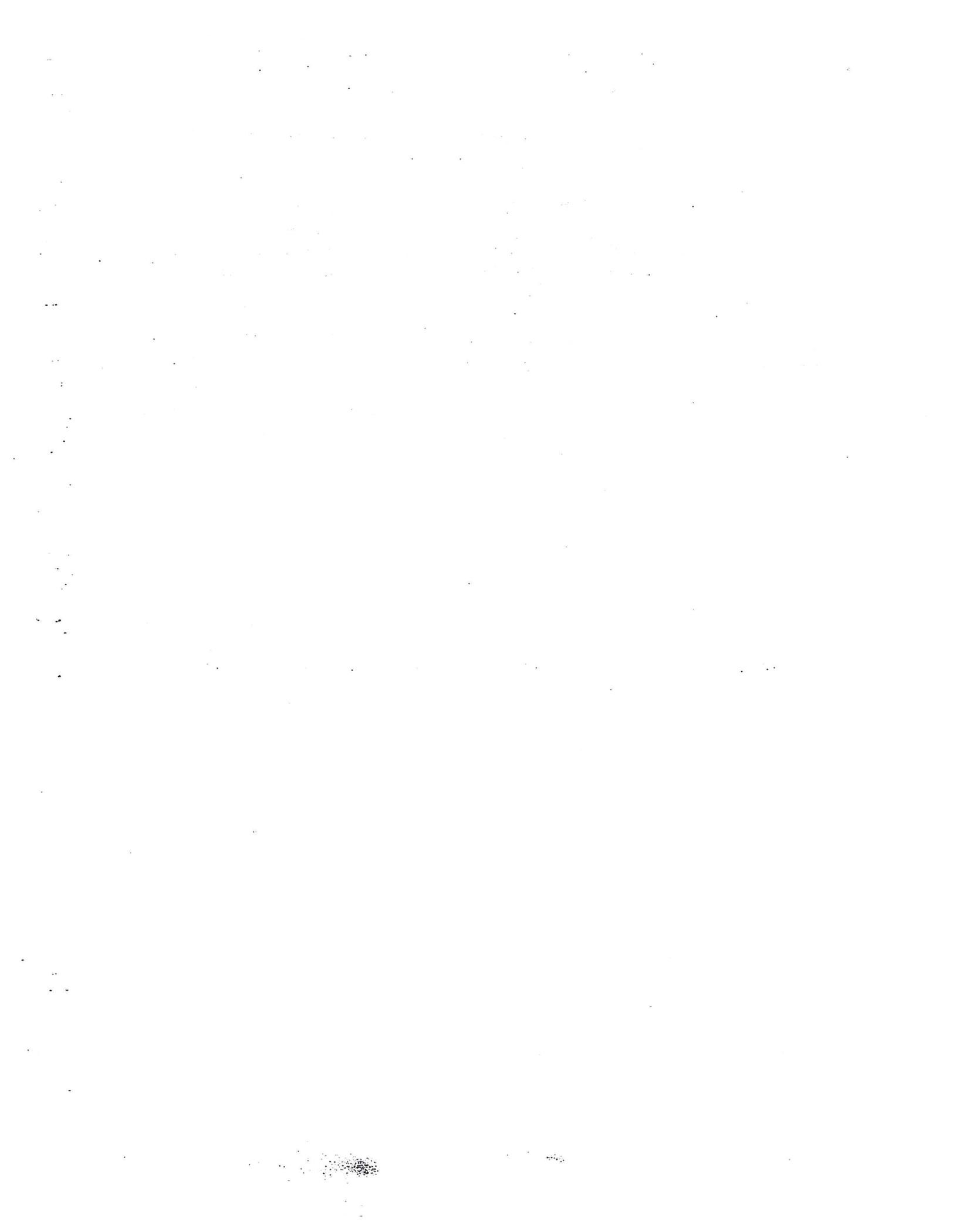
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PJ Kezele, Deputy City Clerk

VOTE	Jensen	Mulinix	Marshall	Chambreau	Forner	Cassinelli
Ayes	X	X	X	X	X	
Nays						
Abstentions						
Absent						

PUBLISHED: February 1, 2012

EFFECTIVE: February 6, 2012



## City Clerk

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**From:** Wood-McGuiness, Karen <Karen.Wood-McGuiness@fema.dhs.gov>  
**Sent:** Thursday, May 14, 2015 4:54 PM  
**To:** clerk@ilwaco-wa.gov  
**Cc:** Ariel Smith  
**Subject:** RE: Status request: Ordinance Review and adoption of new FIRMs and FIS  
**Attachments:** 05\_14\_2015\_updated\_ORDINANCE XXX Amending Title 15 16  
\_to\_be\_presented\_to\_council.doc; WA Model Ordinance.doc; WA Model Ord V Zone  
Appendix.doc; WA Model Ord AO Zone Appendix.doc; Generic Model  
Ordinance\_frm\_common\_2009.docx

Holly & Ariel,

Here are copies of the minimum model ordinance for both national and the State of Washington per your request. I have also attached a review of the ordinance XXX that you included in the email below that is planned to put before the city council on May 26, 2015, amending title 15.16. I noted one additional comment (in 15.16.050) in addition to the required changes you have already outlined for 15.16.090 (A)(2)(a, b, & c). Since there have been several updates to the city's ordinance Chapter 15.16, Development in Flood Areas, I wanted to make sure that the city did not have to go back to correct Chapter 15.16.050.

Please let me know as soon as these changes are approved. As we discussed, these must be updated so there is no ambiguity as to which regulations are applicable; clearing up the confusion between Ordinance # 816 and # 794.

Let me know if you have any questions or concerns.

Thank you.

Karen



# FEMA

## REGION X FLOOD DAMAGE PREVENTION ORDINANCE WASHINGTON MODEL (REVISED 5/13/2004) REVISED EC FORM NO. (2/7/13)

Close to 300 towns, cities, counties, and tribes within the State of Washington participate in the National Flood Insurance Program (NFIP). As a condition of participation in the NFIP, communities are required to adopt and enforce a flood hazard reduction ordinance that meets the minimum requirements of the NFIP; however, there are occasionally additional requirements identified by State law that are more restrictive. In these cases, FEMA will require that communities meet those standards as well.

Although there is no specific prescribed ordinance that can be adopted across the country that meets all requirements for floodplain development, this model identifies the basic requirements, and cross references them to appropriate Federal CFR or State WAC citations (RCW 86.16 WA Floodplain Management law). It also encourages Community Officials to consider the direct insurance implications of certain building standards that, if adopted, can reduce (or increase) annual flood insurance premiums for local citizens. This ordinance, as developed by FEMA and the WA Department of Ecology, supercedes previous versions and includes all the minimum standards required as a condition of participation in the NFIP. It will be used by FEMA and State staff as the basis for providing technical assistance and compliance reviews during the Community Assistance Contact (CAC) and Community Assistance Visit (CAV) process to ensure that federal and state law are met.

The model identifies the basic minimum federal regulation requirements that must be contained in a local flood ordinance as well as suggestions for stronger measures, but notes that these measures are *recommended*, not required. Additionally, it outlines several specific floodplain development practices and regulations that can reduce insurance premiums (highlighted). Adopting this model flood hazard reduction ordinance verbatim can ensure compliance with FEMA; however, *it should be emphasized that its adoption is not a mandatory requirement per NFIP regulation*. Some sections of this document are included for clarity and are not required by federal or state law. For instance, as indicated in SECTION 1: STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES, it is not mandatory to adopt this entire section, but by doing so, it will make your ordinance more legally enforceable.

This document can also serve as a foundation upon which communities can craft their own additional measures. The ordinance can be modified to accommodate local standards, provided they are not less restrictive than the minimum standards identified on this model. Areas on the model that exceed those minimum standards are clearly marked. The model ordinance is in a modular format. The basic model is available separately, and the following attachments can be provided if they fit a community's status, or if they are requested:

**APPENDIX A:** ORDINANCE STANDARDS FOR COMMUNITIES WITH SHALLOW FLOODING IDENTIFIED AS AN AO ZONES ON FLOOD INSURANCE RATE MAPS (FIRM)

**APPENDIX B:** ORDINANCE STANDARDS FOR COMMUNITIES WITH COASTAL FLOODING IDENTIFIED AS A V ZONE AND AN ORDINANCE COMPLIANT WITH 44 CFR 60.3(E)

**APPENDIX C:** FLOOD HAZARD PREVENTION AND FISH HABITAT PROTECTION ORDINANCE (*Not yet complete*)

**APPENDIX D:** OTHER HIGHER REGULATORY STANDARDS (*Not yet complete*)

If you have any questions concerning this ordinance or participation in the NFIP, please contact the Department of Homeland Security, Federal Emergency Management Agency (FEMA) at our Regional Office at (425) 487-4678.

**SECTION 1.0 - STATUTORY AUTHORIZATION, FINDINGS OF FACT,  
PURPOSE, AND OBJECTIVES** *(Not mandatory to adopt section 1.0)*

**1.1 STATUTORY AUTHORIZATION**

The Legislature of the State of Washington has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the \_\_\_\_\_ of \_\_\_\_\_, does ordain as follows:

**1.2 FINDINGS OF FACT**

- 1) The flood hazard areas of \_\_\_\_\_ are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- 2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

**1.3 STATEMENT OF PURPOSE**

It is the purpose of this ordinance to promote the public health, safety, and general welfare; reduce the annual cost of flood insurance; and minimize public and private losses due to flood conditions in specific areas by provisions designed:

- 1) To protect human life and health;
- 2) To minimize expenditure of public money and costly flood control projects;
- 3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 4) To minimize prolonged business interruptions;
- 5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;
- 6) To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- 7) To ensure that potential buyers are notified that property is in an area of special flood hazard;
- 8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

**1.4 METHODS OF REDUCING FLOOD LOSSES**

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- 1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- 2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- 3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;

- 4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- 5) Preventing or regulating the construction of flood barriers that unnaturally divert floodwaters or may increase flood hazards in other areas.

**SECTION 2.0 – DEFINITIONS** *(44 CFR 59.1, not mandatory to adopt all definitions as shown)*

*Terms with 1 asterisk trigger a specific building requirement and must be adopted. Terms with 2 asterisks are directly related to insurance and are not mandatory to adopt. Unless specifically defined below, terms or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.*

**APPEAL:** a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

**AREA OF SHALLOW FLOODING:** designated as AO, or AH Zone on the Flood Insurance Rate Map (FIRM). AO zones have base flood depths that range from one to three feet above the natural ground; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow; AH indicates ponding, and is shown with standard base flood elevations.

**AREA OF SPECIAL FLOOD HAZARD:** is the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

**BASE FLOOD:** the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the “100-year flood”). Designated on Flood Insurance Rate Maps by the letters A or V.

\* **BASEMENT:** means any area of the building having its floor sub-grade (below ground level) on all sides.

**BREAKAWAY WALL:** means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

**COASTAL HIGH HAZARD AREA:** means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-30, VE or V.

**CRITICAL FACILITY:** means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

\* **DEVELOPMENT:** means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

\*\* **ELEVATION CERTIFICATE:** means the official form (FEMA Form 086-0-33) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate with Section B completed by Community Officials.

**ELEVATED BUILDING:** means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

**EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

**EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION:** means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

**FLOOD or FLOODING:** means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- 1) The overflow of inland or tidal waters and/or
- 2) The unusual and rapid accumulation or runoff of surface waters from any source.

**FLOOD INSURANCE RATE MAP (FIRM):** means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS):** means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Insurance Rate Maps, and the water surface elevation of the base flood.

**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.

\* **LOWEST FLOOR:** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1(2), (i.e. provided there are adequate flood ventilation openings).

**MANUFACTURED HOME:** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

**MANUFACTURED HOME PARK OR SUBDIVISION:** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**NEW CONSTRUCTION:** means structures for which the "start of construction" commenced on or after the effective date of this ordinance.

**NEW MANUFACTURED HOME PARK OR SUBDIVISION:** means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

**RECREATIONAL VEHICLE:** means a vehicle,

- 1) Built on a single chassis;
- 2) 400 square feet or less when measured at the largest horizontal projection;
- 3) Designed to be self-propelled or permanently towable by a light duty truck; and
- 4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

**START OF CONSTRUCTION:** includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent

construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

**STRUCTURE:** a walled and roofed building, including a gas or liquid storage tank that is principally above ground.

\* **SUBSTANTIAL DAMAGE:** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

\* **SUBSTANTIAL IMPROVEMENT:** means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- 1) Before the improvement or repair is started; or
- 2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

- 1) Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- 2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

**VARIANCE:** means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

**WATER DEPENDENT:** means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

### **SECTION 3.0 – GENERAL PROVISIONS** *(Mandatory adoption requirements are listed per sub-section)*

#### **3.1 LANDS TO WHICH THIS ORDINANCE APPLIES** *(44 CFR 59.22(a))*

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of \_\_\_\_\_.

#### **3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD** *(44 FR60.3(c)(1)(d)(2))*

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for (community name) “ dated (    ), (20  ), 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 this ordinance. The Flood Insurance Study and the FIRM are on file at (community address). The best available information for flood hazard area identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under Section 4.3-2.

*\* In some communities, the phrase “and any revisions thereto” is not considered legally binding and should not be adopted.*

**3.3 PENALTIES FOR NONCOMPLIANCE** *(Not mandatory)*

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions), shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \_\_\_\_\_ or imprisoned for not more than \_\_ days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the \_\_\_\_\_ from taking such other lawful action as is necessary to prevent or remedy any violation.

**3.4 ABROGATION AND GREATER RESTRICTIONS** *(Not mandatory)*

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**3.5 INTERPRETATION** *(Not mandatory)*

In the interpretation and application of this ordinance, all provisions shall be:

- 1) Considered as minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under State statutes.

**3.6 WARNING AND DISCLAIMER OF LIABILITY** *(Not mandatory)*

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of \_\_\_\_\_, any officer or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

**3.7 SEVERABILITY** *(mandatory)*

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**SECTION 4.0 – ADMINISTRATION**

**4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT**

**4.1-1 DEVELOPMENT PERMIT REQUIRED** *(44 CFR 60.3(b)(1))*

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the “Definitions,” and for all development

including fill and other activities, also as set forth in the "Definitions."

**4.1-2 APPLICATION FOR DEVELOPMENT PERMIT** *(Not Mandatory; however example permits are available from FEMA/DOE for review or use)*

Application for a development permit shall be made on forms furnished by the \_\_\_\_\_ and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- 1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate (FF 086-0-33) with Section B completed by the local official.
- 2) Elevation in relation to mean sea level to which any structure has been floodproofed;
- 3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in Section 5.2-2;
- 4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

**4.2 DESIGNATION OF THE LOCAL ADMINISTRATOR** *(44 CFR 59.22(b)(1))*

*(Local Administrator)* is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

**4.3 DUTIES & RESPONSIBILITIES OF THE LOCAL ADMINISTRATOR** *(Not mandatory)*

Duties of the *(Local Administrator)* shall include, but not be limited to:

**4.3-1 PERMIT REVIEW**

- 1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied. *(Not mandatory)*
- 2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required. *(44 CFR 60.3(a)(2))*
- 3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.4(1) are met. *(Not mandatory, but essential to enforce Washington's floodway law.)*

**4.3-2 USE OF OTHER BASE FLOOD DATA (IN A AND V ZONES)** *(44 CFR 60.3(b)(4))*

When base flood elevation data has not been provided (in A or V Zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the *(Local Administrator)* shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.4 FLOODWAYS.

**4.3-3 INFORMATION TO BE OBTAINED AND MAINTAINED** *(The following language is required and should be adopted verbatim per 44 CFR)*

- 1) Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in Section 4.3-2, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. *(44 CFR 60.3(b)(5)(i))*

Recorded on a current elevation certificate (FF 086-0-33) with Section B completed by the local official.

- 2) For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in Section 4.3-2:
  - i) Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed (44 CFR 60.3(b)(5)(ii))
  - ii) Maintain the floodproofing certifications required in Section 4.1-2(3) (44 CFR 60.3(b)(5)(iii))
- 3) Maintain for public inspection all records pertaining to the provisions of this ordinance. (44 CFR 60.3(b)(5)(iii))

#### **4.3-4 ALTERATION OF WATERCOURSES** (44 CFR 60.3(b)(6))

- 1) Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- 2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

#### **4.3-5 INTERPRETATION OF FIRM BOUNDARIES** *(This section is not required, but if the Local Administrators are performing this task on a regular basis, it should be adopted.)*

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

#### **4.4 CONDITIONS FOR VARIANCES** *(Excerpts summarized from 44 CFR 60.6(a)(1-7)*

*Communities are encouraged to adopt standards equal to or more restrictive than 44 CFR 60.6(a)(1-7) or use existing codes that meet or exceed these standards. FEMA may review a community's findings justifying the granting of variances, and if that review indicates a pattern inconsistent with the objectives of sound floodplain management, FEMA may take appropriate action under 44 CFR 59.24(b).*

- 1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- 2) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- 3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- 4) Variances shall only be issued upon:
  - i) A showing of good and sufficient cause;
  - ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;

- iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- 5) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.
- 6) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 4.4 1), and otherwise complies with Sections 5.1-1, 5.1-3, and 5.1-4 of the GENERAL STANDARDS.
- 7) Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk.

## **SECTION 5.0 – PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **5.1 GENERAL STANDARDS** *(Section 5.0 is required)*

In all areas of special flood hazards, the following standards are required:

#### **5.1-1 ANCHORING** *(44 CFR 60.3(a)(b))*

- 1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure. *(44 CFR 60.3(a)(3)(i))*
- 2) All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. *(44 CFR 60.3(b)(8)). For more detailed information, refer to guidebook, FEMA P-85, "Protecting Manufactured Homes from Floods and Other Hazards."*

#### **5.1-2 CONSTRUCTION MATERIALS AND METHODS** *(44 CFR 60.3(a)(3)(ii-iv))*

- 1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- 2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- 3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause annual flood insurance premiums to be increased.

#### **5.1-3 UTILITIES** *(44 CFR 60.3(a)(5)(6))*

- 1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;

- 2) Water wells shall be located on high ground that is not in the floodway\*
- 3) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters;
- 4) Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

\* FEMA endorses the more restrictive WA floodway standard identified in WAC 173-160-171

#### **5.1-4 SUBDIVISION PROPOSALS (44 CFR 60.3(a)(4)(b)(3))**

- 1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- 2) All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- 3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;
- 4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

#### **5.1-5 REVIEW OF BUILDING PERMITS (44 CFR 60.3(a)(3))**

Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be *reasonably safe from flooding*. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

#### **5.2 SPECIFIC STANDARDS (44 CFR 60.3(c)(1))**

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, or Section 4.3-2, USE OF OTHER BASE FLOOD DATA. Additional standards were clarified in FEMA Technical Bulletin 11-01 to allow crawlspace construction for buildings located in the special flood hazard areas; however, adopting this provision can result in a 20% increase in flood insurance premiums. The following provisions are required:

##### **5.2-1 RESIDENTIAL CONSTRUCTION (44 CFR 60.3(c)(2)(5))**

- 1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more\* above the base flood elevation (BFE).

*\* Minimum FEMA standards require the lowest floor to be elevated "to or above" the BFE; however, adding an additional foot of freeboard increases safety and can reduce insurance premiums by as much as 30%. Adopting additional freeboard is strongly encouraged by FEMA. This note applies throughout the model ordinance.*

- 2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

- i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- ii) The bottom of all openings shall be no higher than one foot above grade.
- iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

*Foundation vent standards required by the IBC/IRC outside the floodplain do not meet this standard and are often inadvertently permitted. Insurance rates reflect an "all or nothing" standard, meaning, partially ventilated crawlspaces may be subject to an additional loading fee of 20-25% attached to the annual insurance premium.*

**5.2-2 NONRESIDENTIAL CONSTRUCTION (44 CFR 60.3(c)(3)(4))**

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more\* above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- 1) Be floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- 2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- 3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);
- 4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2);

\* *Applicants who are floodproofing nonresidential buildings should be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below). Floodproofing the building an additional foot will reduce insurance premiums significantly.*

**5.2-3 MANUFACTURED HOMES (44 CFR 60.3(c)(6)(12))**

- 1) All manufactured homes in the floodplain to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more\* above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

**5.2-4 RECREATIONAL VEHICLES (44 CFR 60.3(c)(14))**

Recreational vehicles placed on sites are required to either:

- 1) Be on the site for fewer than 180 consecutive days, (or)
- 2) Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
- 3) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.

### 5.3 AE AND A1-30 ZONES WITH BASE FLOOD ELEVATIONS BUT NO FLOODWAYS

*(44 CFR 60.3(c)(10))*

In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

### 5.4 FLOODWAYS *(Note the more restrictive language for floodway development per RCW 86.16)*

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:

- 1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. *(44 CFR 60.3(d)(3))*
- 2) Construction or reconstruction of residential structures is prohibited within designated floodways\*, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.  
*\* FEMA endorses the more restrictive WA floodway standard adopted in WAC 173-158-070.*
- 3) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.

### 5.7 CRITICAL FACILITY *(Not mandatory)*

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

## APPENDIX A: COMMUNITIES WITH SHALLOW FLOODING IDENTIFIED AS AN AO ZONES ON FLOOD INSURANCE RATE MAPS (FIRM)

### 5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES) (44 CFR 60.3(c)(7)(8))

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

- 1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest adjacent grade to the structure, one foot or more above\* the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).

*\* Minimum standards require the lowest floor to be elevated "to or above" the BFE; however, adding an additional foot of freeboard increases safety and can significantly reduce insurance premiums. Adopting additional freeboard is strongly encouraged by FEMA. This note applies throughout Appendix A.*

- 2) New construction and substantial improvements of nonresidential structures within AO zones shall either:
  - i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified) \* *Recorded on a current elevation certificate (FF 81-31) with section E completed;* or
    - ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in section 5.2-2(3).
- 3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- 4) Recreational vehicles placed on sites within AO Zones on the community's FIRM are required to either:
  - i) Be on the site for fewer than 180 consecutive days, or
  - ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
  - iii) Meet the requirements of 5.5(1) and 5.5(3) above and the anchoring requirements for manufactured homes (Section 5.1-1(2)).

## APPENDIX B: COMMUNITIES WITH COASTAL VELOCITY (V ZONES) PRESENT ON FIRM AND AN ORDINANCE COMPLIANT WITH 44 CFR 60.3(e)

### 5.6 COASTAL HIGH HAZARD AREAS (44 CFR 60.3(e))

Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as Zones V1-30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:

- 1) All new construction and substantial improvements in Zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM shall be elevated on pilings and columns so that:
  - i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above\* the base flood level; and
  - ii) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

*\* Minimum standards require the lowest floor to be elevated "to or above" the BFE; however, adding an additional foot of freeboard increases safety and can significantly reduce insurance premiums. Adopting additional freeboard is strongly encouraged by FEMA. This note applies throughout Appendix B.*

A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 5.6(1)(i) and (ii). *\*Actuarial insurance rates for V Zone structures may be reduced by completing the V-Zone Risk Factor Rating Form (FF 81-25). This document identifies construction activities that exceed minimum standards and allows the insurance community to provide insurance discounts for certain types of siting, design, and construction requirements identified in FEMA's Coastal Construction Manual. A copy of this form shall be provided to all new construction within the V Zone.*

- 2) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement. The (*Local Administrator*) shall maintain a record of all such information. *\* Recorded on a current elevation certificate (FF 086-0-33) with section B completed by the local official.*
- 3) All new construction within Zones V1-30, VE, and V on the community's FIRM shall be located landward of the reach of mean high tide.
- 4) Provide that all new construction and substantial improvements within Zones V1-30, VE, and V on the community's FIRM have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the

following conditions:

- i) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
- ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.

- 5) Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, and V on the community's FIRM.
- 6) Prohibit man-made alteration of sand dunes within Zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage.
- 7) All manufactured homes to be placed or substantially improved within Zones V1-30, V, and VE on the community's FIRM on sites:
  - i) Outside of a manufactured home park or subdivision,
  - ii) In a new manufactured home park or subdivision,
  - iii) In an expansion to an existing manufactured home park or subdivision, or
  - iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;shall meet the standards of paragraphs 5.6(1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM shall meet the requirements of Section 5.2-3(2).
- 8) Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either:
  - i) Be on the site for fewer than 180 consecutive days, or
  - ii) Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or
  - iii) Meet the requirements of Section 4.1-1 (*development permit required*) and paragraphs 5.6(1) through (6) of this section.

## **National Generic FLOOD DAMAGE PREVENTION ORDINANCE**

Adoption of this ordinance will comply with the standards for participation in the National Flood Insurance Program. The model includes standards and provisions that encourage sound flood plain management and if implemented allows property owners to obtain flood insurance at a more affordable rate.

FEMA recommends that non-residential construction have the lowest floor elevated one foot or more above the base flood elevation; or that the area below one foot above the base flood elevation be floodproofed.

The minimum requirement for participation in the NFIP non-residential construction requires that the lowest floor be elevated to or above the base flood elevation or that the area below the base flood elevation be floodproofed.

Even though the minimum standards only require elevation to the base flood elevation, it is recommended that communities adopt the higher standard because elevating one foot or more above the base flood elevation will allow your industries and businesses to receive a substantial reduction in the cost of their flood insurance. Also, as increased development happens, flood elevations can increase, and the one foot above standard allows for an additional margin of safety.

Because of the substantial number of manufactured homes that have experienced foundation failure, this model recommends that dry stacked blocks not be used to support manufactured homes in areas of high velocity and/or high water depths.

The model ordinance also includes sections for development in Shallow Flooding Areas (AO Zones), Section 5.5 and Coastal High Hazard Areas (V1-V30, VE and/or V), Section 5.6. If your community does not have either of these zones designated on your Flood Insurance Rate Map, it is not necessary to adopt these sections of the model ordinance.

If you have any questions concerning adoption of this model or participation in the NFIP, please contact our Regional Office at 425-487-4600.

Items in red underlined italics (on electronic copies) or underlined italics (on paper copies) of the ordinance need to be filled in by the community.

## FLOOD DAMAGE PREVENTION ORDINANCE

### SECTION 1.0 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE, AND OBJECTIVES

#### 1.1 STATUTORY AUTHORIZATION

The Legislature of the State of \_\_\_\_\_ has delegated the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the city/town/county/tribe, does ordain as follows:

#### 1.2 FINDINGS OF FACT

- (1) The flood hazard areas of city/town/county/tribe are subject to periodic inundation which results in loss of life and property, health, and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
- (2) These flood losses are caused by the cumulative effect of obstructions in areas of special flood hazards which increase flood heights and velocities, and when inadequately anchored, damage uses in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to the flood loss.

#### 1.3 STATEMENT OF PURPOSE

It is the purpose of this ordinance to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- (1) To protect human life and health;
- (2) To minimize expenditure of public money and costly flood control projects;
- (3) To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) To minimize prolonged business interruptions;
- (5) To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets, and bridges located in areas of special flood hazard;

- (6) To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
- (7) To ensure that potential buyers are notified that property is in an area of special flood hazard; and,
- (8) To ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

#### 1.4 METHODS OF REDUCING FLOOD LOSSES

In order to accomplish its purposes, this ordinance includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, and other development which may increase flood damage; and
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or may increase flood hazards in other areas.

### **SECTION 2.0 DEFINITIONS**

Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this ordinance its most reasonable application.

“ACCESSORY STRUCTURES “ mean low cost buildings such as detached garages, boathouses, small pole barns and storage sheds (should be classified as minimum investment to be determined by the community), not to be used for human habitation, shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters; shall be anchored to prevent floatation which may result in damage to other structures; service utilities such as electrical and heating equipment shall be elevated or flood-proofed. (If the community’s ordinance does not contain the above provisions for accessory structures, then a variance will be needed to be issued to exempt accessory structures from the 1<sup>st</sup> floor elevation or flood proofing requirement.)

“APPEAL” means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

“AREA OF SHALLOW FLOODING” means a designated AO, or AH Zone on the Flood Insurance Rate Map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and, velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

“AREA OF SPECIAL FLOOD HAZARD” means the land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

“BASE FLOOD” means the flood having a one percent chance of being equaled or exceeded in any given year. Also referred to as the “100-year flood.” Designation on maps always includes the letters A or V.

“BASEMENT” means any area of the building having its floor subgrade (below ground level) on all sides.

“BREAKAWAY WALL” means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

“COASTAL HIGH HAZARD AREA” means an area of special flood hazard extending from offshore to the inland limit of a primary frontal dune along an open coast and any other area subject to high velocity wave action from storms or seismic sources. The area is designated on the FIRM as Zone V1-V30, VE or V.

“CRITICAL FACILITY” means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to schools, nursing homes, hospitals police, fire and emergency response installations, installations which produce, use or store hazardous materials or hazardous waste.

“DEVELOPMENT” means any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

“ELEVATED BUILDING” means for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

“EXISTING MANUFACTURED HOME PARK OR SUBDIVISION” means a manufactured home park subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adopted floodplain management regulations.

“EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION” means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

“FLOOD” OR “FLOODING” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters and/or
- (2) The unusual and rapid accumulation of runoff of surface waters from any source.

“FLOOD INSURANCE RATE MAP (FIRM)” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

“FLOOD INSURANCE STUDY” means the official report provided by the Federal Insurance Administration that includes flood profiles, the Flood Boundary-Floodway Map, and the water surface elevation of the base flood.

“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.

“LOWEST FLOOR” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building’s lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at Section 5.2-1(2).

“MANUFACTURED HOME” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a “recreational vehicle.”

“MANUFACTURED HOME PARK OR SUBDIVISION” means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

“NEW CONSTRUCTION” means structures for which the “start of construction” commenced on or after the effective date of this ordinance.

“NEW MANUFACTURED HOME PARK OR SUBDIVISION” means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of adopted floodplain management regulations.

“RECREATIONAL VEHICLE” means a vehicle which is:

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

“START OF CONSTRUCTION” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“STRUCTURE” means a walled and roofed building including a gas or liquid storage tank that is principally above ground.

“SUBSTANTIAL DAMAGE” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“SUBSTANTIAL IMPROVEMENT” means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

- (1) Before the improvement or repair is started; or
- (2) If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions or
- (2) Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“VARIANCE” means a grant of relief from the requirements of this ordinance which permits construction in a manner that would otherwise be prohibited by this ordinance.

“WATER DEPENDENT” means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

## **SECTION 3.0 GENERAL PROVISIONS**

### **3.1 LANDS TO WHICH THIS ORDINANCE APPLIES**

This ordinance shall apply to all areas of special flood hazards within the jurisdiction of city/town/county/tribe.

### **3.2 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD**

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for the city/town/county/tribe – use county if FIRMs are in countywide format,” dated month day, 20yr, and any revisions thereto, with accompanying Flood Insurance Maps, and any revisions thereto, are hereby adopted by reference and declared to be a part of this ordinance. The Flood Insurance Study is on file at location. The best available information for flood hazard area

identification as outlined in Section 4.3-2 shall be the basis for regulation until a new FIRM is issued which incorporates the data utilized under section 4.3-2.

### 3.3 PENALTIES FOR NONCOMPLIANCE

No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violations of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$ amount or imprisoned for not more than number days, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the city/town/county/tribe from taking such other lawful action as is necessary to prevent or remedy any violation.

### 3.4 ABROGATION AND GREATER RESTRICTIONS

This ordinance is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

### 3.5 INTERPRETATION

In the interpretation and application of this ordinance, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body; and,
- (3) Deemed neither to limit or repeal any other powers granted under State statutes.

### 3.6 WARNING AND DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This ordinance does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This ordinance shall not create liability on the part of city/town/county/tribe, any officer or employee thereof, or the Federal Insurance Administration, for any flood

damages that result from reliance on this ordinance or any administrative decision lawfully made hereunder.

## **SECTION 4.0 ADMINISTRATION**

### 4.1 ESTABLISHMENT OF DEVELOPMENT PERMIT

#### 4.1-1 Development Permit Required

A development permit shall be obtained before construction or development begins within any area of special flood hazard established in Section 3.2. The permit shall be for all structures including manufactured homes, as set forth in the "DEFINITIONS," and for all development including fill and other activities, also as set forth in the "DEFINITIONS."

#### 4.1-2 Application for Development Permit

Application for a development permit shall be made on forms furnished by the *dept., e.g. Planning, Engineering, etc.* and may include but not be limited to plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- (1) Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures;
- (2) Elevation in relation to mean sea level to which any structure has been floodproofed;
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 5.2-2; and
- (4) Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

### 4.2 DESIGNATION OF THE local administrator

The local administrator is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

### 4.3 DUTIES AND RESPONSIBILITIES OF THE local administrator

Duties of the local administrator shall include, but not be limited to:

#### 4.3-1 Permit Review

- (1) Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- (2) Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
- (3) Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of Section 5.3(1) are met.

#### 4.3-2 Use of Other Base Flood Data (In A and V Zones)

When base flood elevation data has not been provided (A and V Zones) in accordance with Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD, the (local administrator) shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer Sections 5.2, SPECIFIC STANDARDS, and 5.3 FLOODWAYS.

#### 4.3-3 Information to be Obtained and Maintained

- (1) Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in Section 4.3-2, obtain and record the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement.
- (2) For all new or substantially improved floodproofed structures where base flood elevation data is provided through the Flood Insurance Study, FIRM, or as required in Section 4.3-2:
  - (i) Verify and record the actual elevation (in relation to mean seal level), and
  - (ii) Maintain the floodproofing certifications required in Section 4.1-2(3).
- (3) Maintain for public inspection all records pertaining to the provisions of this ordinance.

#### 4.3-4 Alteration of Watercourses

- (1) Notify adjacent communities and the state coordinating agency prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
- (2) Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

#### 4.3-5 Interpretation of FIRM Boundaries

Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 4.4.

NOTE: If you do not include Section 4.4 (Variance Procedure), end the above sentence after the word "interpretation," and add the following sentence: "such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

#### 4.4 VARIANCE PROCEDURE

##### 4.4-1 Appeal Board

- (1) The *governing body, e.g. council* as established by *ordinance* shall hear and decide appeals and requests for variances from the requirements of this ordinance.
- (2) The *governing body, e.g. council* shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the *city/town/county/tribe* in the enforcement or administration of this ordinance.
- (3) Those aggrieved by the decision of the *governing body, e.g. council*, or any taxpayer, may appeal such decision to the *court*, as provided in *ordinance*.
- (4) In passing upon such applications, the *governing body, e.g. council* shall consider all technical evaluations, all relevant factors, standards specified in other sections of this ordinance, and:
  - (i) The danger that materials may be swept onto other lands to the injury of others;
  - (ii) The danger to life and property due to flooding or erosion damage;
  - (iii) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
  - (iv) The importance of the services provided by the proposed facility to the community;
  - (v) The necessity to the facility of a waterfront location, where applicable;
  - (vi) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
  - (vii) The compatibility of the proposed use with existing and anticipated development;

- (viii) The relationship of the proposed use to the comprehensive plan and flood plain management program for that area;
  - (ix) The safety of access to the property in times of flood for ordinary and emergency vehicles;
  - (x) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
  - (xi) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (5) Upon consideration of the factors of Section 4.4-1(4) and the purposes of this ordinance, the governing body, e.g. council may attach such conditions to the granting of variances as it deems necessary to further the purposes of this ordinance.
- (6) The clerk, planning dept., engineering dept., etc shall maintain the records of all appeal actions and report any variances to the Federal Insurance Administration upon request.

#### 4.4-2 Conditions for Variances

- (1) Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items (i-xi) in Section 4.4-1(4) have been fully considered. As the lot size increases the technical justification required for issuing the variance increases.
- (2) Variances may be issued for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in this section.
- (3) Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
  - (i) A showing of good and sufficient cause;
  - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant;
  - (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety,

extraordinary public expense, create nuisances, cause fraud on or victimization of the public as identified in Section 4.1-4(4), or conflict with existing local laws or ordinances.

- (6) Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece or property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations should be quite rare.
- (7) Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except 4.4-2(1), and otherwise complies with Sections 5.1-1 and 5.1-2 of the GENERAL STANDARDS.
- (8) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

## **SECTION 5.0 PROVISIONS FOR FLOOD HAZARD REDUCTION**

### **5.1 GENERAL STANDARDS**

In all areas of special flood hazards, the following standards are required:

#### **5.1-1 Anchoring**

- (1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.
- (2) All manufactured homes must likewise be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques).

#### **5.1-2 AH Zone Drainage**

Adequate drainage paths are required around structures on slopes to guide floodwaters around and away from proposed structures.

### 5.1-3 Construction Materials and Methods

- (1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- (2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- (3) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

### 5.1-4 Utilities

- (1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
- (2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- (3) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

### 5.1-5 Subdivision Proposals

- (1) All subdivision proposals shall be consistent with the need to minimize flood damage;
- (2) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- (3) All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage; and,
- (4) Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less).

### 5.1-6 Review of Building Permits

Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (Section 4.3-2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

## 5.2 SPECIFIC STANDARDS

In all areas of special flood hazards where base flood elevation data has been provided (Zones A1-30, AH, and AE) as set forth in Section 3.2, BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD or Section 4.3-2, Use of Other Base Flood Data (In A and V Zones), the following provisions are required:

### 5.2-1 Residential Construction

- (1) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation.
- (2) Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:
  - (i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - (ii) The bottom of all openings shall be no higher than one foot above grade.
  - (iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

### 5.2-2 Nonresidential Construction

New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at or above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

- (1) Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
- (3) Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development

- and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in Section 4.3-3(2);
- (4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in 5.2-1(2);
  - (5) Applicants floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building floodproofed to the base flood level will be rated as one foot below).

### 5.2-3 Manufactured Homes

(1) All manufactured homes to be placed or substantially improved on sites:

- (i) Outside of a manufactured home park or subdivision,
- (ii) In a new manufactured home park or subdivision,
- (iii) In an expansion to an existing manufactured home park or subdivision, or
- (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately designed foundation system to resist flotation, collapse and lateral movement.

(2) Manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH, and AE on the community's FIRM that are not subject to the above manufactured home provisions be elevated so that either:

- (i) The lowest floor of the manufactured home is elevated one foot or more above the base flood elevation, or
- (ii) The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately designed foundation system to resist flotation, collapse, and lateral movement.

### 5.2-4 Recreational Vehicles

Recreational vehicles placed on sites are required to either:

- (i) Be on the site for fewer than 180 consecutive days,
- (ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities

- and security devices, and has no permanently attached additions; or
- (iii) Meet the requirements of 5.2-3 above and the elevation and anchoring requirements for manufactured homes.

### 5.3 BEFORE REGULATORY FLOODWAY

In areas where a regulatory floodway has not been designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

### 5.4 FLOODWAYS

Located within areas of special flood hazard established in Section 3.2 are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- (1) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.
- (2) If Section 5.4(1) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 5.0, PROVISIONS FOR FLOOD HAZARD REDUCTION.

### 5.5 STANDARDS FOR SHALLOW FLOODING AREAS (AO ZONES)

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In these areas, the following provisions apply:

- (1) New construction and substantial improvements of residential structures and manufactured homes within AO zones shall have the lowest floor (including basement) elevated above the highest grade adjacent to the building, one

foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified).

- (2) New construction and substantial improvements of nonresidential structures within AO zones shall either:
  - (i) Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or
  - (ii) Together with attendant utility and sanitary facilities, be completely flood proofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance shall be certified by a registered professional engineer or architect as in section 5.2-2(3).
- (3) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
- (4) Recreational vehicles placed on sites within AO Zones on the community's FIRM either:
  - (i) Be on the site for fewer than 180 consecutive days,
  - (ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
  - (iii) Meet the requirements of 5.5 above and the elevation and anchoring requirements for manufactured homes.

## 5.6 COASTAL HIGH HAZARD AREAS ONLY

Located within areas of special flood hazard established in Section 3.2 are Coastal High Hazard Areas, designated as Zones V1-V30, VE and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions shall also apply:

- (1) All new construction and substantial improvements in Zones V1-V30 and VE (V if base flood elevation data is available) shall be elevated on pilings and columns so that:
  - (i) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level; and
  - (ii) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the

effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval);

- (2) A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of (i) and (ii) of this Section.
- (3) Obtain the elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones V1-30, VE, and V, and whether or not such structures contain a basement. The local administrator shall maintain a record of all such information.
- (4) All new construction shall be located landward of the reach of mean high tide.
- (5) Provide that all new construction and substantial improvements have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this section, a breakaway wall shall have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
  - (i) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
  - (ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- (6) If breakaway walls are utilized, such enclosed space shall be useable solely for parking of vehicles, building access, or storage. Such space shall not be used for human habitation.
- (7) Prohibit the use of fill for structural support of buildings.

- (8) Prohibit man-made alteration of sand dunes which would increase potential flood damage.
- (9) All manufactured homes to be placed or substantially improved within Zones V1-V30, V, and VE on the community's FIRM on sites:
  - (i) Outside of a manufactured home park or subdivision,
  - (ii) In a new manufactured home park or subdivision,
  - (iii) In an expansion to an existing manufactured home park or subdivision, or
  - (iv) In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

meet the standards of paragraphs 5.6(1) through (8) of this section and that manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within Zones V1-30, V, and VE on the FIRM meet the requirements of Section 5.2-3.

- (10) Recreational vehicles placed on sites within Zones V1-30, V, and VE on the community's FIRM either:
  - (i) Be on the site for fewer than 180 consecutive days,
  - (ii) Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
  - (iii) Meet the requirements of Section 4.1-1(Permitting requirements) and paragraphs 5.6(1) through (8) of this section.

## 5.7 CRITICAL FACILITY

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.



**CITY OF ILWACO  
ORDINANCE NO. XXX**

**AN ORDINANCE AMENDING THE 2015 BUDGET OF THE CITY OF  
ILWACO, WASHINGTON AS ADOPTED BY ORDINANCE #836**

**WHEREAS**, the City of Ilwaco adopted the 2015 budget in final form by Ordinance #836 on November 24, 2014; and

**WHEREAS**, subsequent thereto it has become necessary for the city to amend said ordinance because of revenues and council approved unbudgeted expenditures of same; and

**WHEREAS**, the city is desirous of amending its budget pursuant to RCW 35A.33.090.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** The following funds contained in the 2015 Budget are hereby amended as follows:

<b><u>City of Ilwaco Funds</u></b>	<b><u>Original Appropriation</u></b>	<b><u>Amendment #1 Appropriation</u></b>	<b><u>Change</u></b>
General Fund	936,372	962,846	26,474
Street Fund	89,405	89,227	(178)
Tourism Fund	69,164	69,164	-
Excise Reserve Fund	20,000	20,000	-
Water Fund	1,697,162	1,766,024	68,862
Water/Sewer Bond Redemption Fund	478,949	478,949	-
Water/Sewer Bond Reserve			-
Stormwater Fund	119,815	119,116	(699)
Sewer Fund	1,547,377	1,544,923	(2,454)
Total Appropriations	4,958,243	5,050,248	92,005

**Section 2.** The budget for the year 2015 is amended to provide redistribution of salaries and benefits that were not known at the time of developing the original budget for the city. As well as unexpected grant funds that were distributed in the first quarter of 2015 and event donations.

**Section 3.** The city clerk is hereby directed to transmit this supplemental budget to the State Auditor's Office and to the Association of Washington Cities.

**Section 4.** Effective Date. This Ordinance takes effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED  
IN AUTHENTICATION OF ITS PASSAGE THIS XX DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Mike Cassinelli, Mayor

ATTEST:

\_\_\_\_\_  
Ariel Smith, Treasurer

VOTE	Jensen	Karnofski	Marshall	Chambreau	Forner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED:

EFFECTIVE:

City of Ilwaco Budget - 2015									
	1/1/2015						12/31/2015		
<i>Fund</i>	<i>Beginning Balance</i>	<i>Revenues</i>	<i>Operations</i>	<i>Capital</i>	<i>Debt Svcs</i>	<i>Margin</i>	<i>Ending Balance</i>	<i>Desired Reserve</i>	<i>Surplus (shortfall)</i>
001 General	179,179	924,687	(764,159)	(53,200)	(145,486)	(38,159)	141,020	204,689	(63,669)
101 Streets	88,744	81,773	(69,727)	(19,500)	-	(7,455)	81,289	15,000	66,289
104 Tourism	59,160	30,130	(69,164)	-	-	(39,034)	20,126	10,000	10,126
301 Excise Reserve	11,730	9,000	(20,000)	-	-	(11,000)	730	1,296	(566)
401 Water	332,491	1,569,590	(553,198)	(1,111,000)	(101,826)	(196,434)	136,057	163,300	(27,243)
403 Bond Redemption	-	478,948	(478,949)	-	-	(0)	(0)	-	(0)
404 Bond Reserve	347,731	20,553	-	-	-	20,553	368,284	418,725	(50,441)
408 Stormwater	18,556	114,538	(82,533)	-	(36,583)	(4,578)	13,978	10,000	3,978
409 Sewer	317,949	1,451,996	(497,875)	(531,625)	(515,422)	(92,927)	225,022	418,334	(193,312)
Total Fund Balance	1,355,540						986,507	1,241,345	(254,838)
Capital projects for 2015:	<u>General/Streets Funds</u>		<u>Water Fund</u>		<u>Wastewater Fund</u>				
	Jetter Truck		Paint Steel Reservoir		Sahalee				
			Misc Short Lived Assets		Misc Short Lived Assets				

2015 Budget - City of Ilwaco

6/2/2015

001 General Fund		ESTIMATED REVENUES -			ESTIMATED EXPENDITURES -						
		2014 Actual	2015 Original	2015 Amended			2014 Actual	2015 Original	2015 Amendment		
001-000-000-311-10-00-00	General Property Taxes	142,542	146,300	146,300	(0)	001-000-000-511-30-44-00	Official Publications	5,521	2,000	2,000	-
001-000-000-313-11-00-00	Local Sales & Use Taxes	168,608	135,000	135,000	-	001-000-000-511-60-10-00	Salaries & Wages	18,000	18,000	18,000	-
001-000-000-316-10-00-00	Business & Occupation Tax	69,124	60,000	60,000	-	001-000-000-511-60-20-00	Personnel Benefits	2,026	1,537	1,537	-
001-000-000-316-40-01-00	Garbage 6% Utility Tax	15,629	15,000	15,000	-	001-000-000-511-60-41-01	IT/Software Services	5,153	3,833	3,833	- vision 2016 remains
001-000-000-316-40-02-00	Cable 6% Utility Tax	9,694	12,000	12,000	-	001-000-000-511-60-43-00	Travel/Meals/Lodging	130	500	500	-
001-000-000-316-40-03-00	Telephone 6% Utility Tax	29,004	35,000	35,000	-	001-000-000-511-60-46-00	Insurances	7,344	7,362	7,362	-
001-000-000-316-40-04-00	Electric 6% Utility Tax	70,098	75,000	75,000	-	001-000-000-511-60-47-00	Electricity	1,435	-	-	-
001-000-000-316-40-05-00	Water Utility Tax	61,263	56,871	56,871	0	001-000-000-511-60-47-02	City Sewer - Museum	477	1,890	1,890	-
001-000-000-316-40-06-00	Sewer Utility Tax	45,488	46,591	46,591	0	001-000-000-511-60-48-00	Repair & Maintenance	167	200	200	-
001-000-000-316-40-07-00	Storm Drainage Utility Tax	4,557	5,192	5,192	0	001-000-000-511-60-49-00	Miscellaneous	-	-	-	-
001-000-000-316-40-08-00	Fire Hydrant Fee	99	-	-	-	001-000-000-511-60-49-01	Miscellaneous	100	100	100	-
001-000-000-316-81-00-00	Gambling Tax	661	-	-	-	001-000-000-514-20-51-00	Election Costs	7,494	6,000	7,000	1,000
001-000-000-317-20-00-00	Local Leasehold Excise Tax	30,335	30,000	30,000	-	001-000-000-512-50-40-02	Municipal Court Services	-	-	-	*
001-000-000-317-40-00-00	Timber Harvest Excise Tax	122	-	-	-	001-000-000-512-50-40-03	Municipal Court Services	17,250	17,250	17,250	-
001-000-000-321-99-00-00	Other Business Licenses and Permits	40,993	40,000	40,000	-	001-000-000-512-50-40-04	Court Remit TO State	2,952	3,500	3,500	*
001-000-000-322-10-00-01	Building Permit Fees	6,153	7,500	7,500	-	001-000-000-514-20-10-00	Salaries & Wages	37,253	42,373	37,102	(5,271)
001-000-000-322-90-00-00	Land Use Permit Fees	-	-	-	-	001-000-000-514-20-20-00	Personnel Benefits	11,755	12,935	12,036	(899)
001-000-000-322-90-00-01	Zoning Fees	6,441	5,000	5,000	-	001-000-000-514-20-31-00	Office & Operating Supplies	7,452	6,020	6,020	-
001-000-000-334-03-12-00	DOE Aquatic Weed Grant	1,514	19,519	19,519	-	001-000-000-514-20-35-00	Small Tools & Equipment	-	2,000	2,000	-
001-000-000-334-03-13-00	DOE Shoreline Master Program	23,032	50,000	50,000	-	001-000-000-514-20-41-00	Professional Services	3,593	2,000	7,000	5,000 Annual Report
001-000-000-335-00-91-00	PUD Privilege Tax	8,626	9,000	9,000	-	001-000-000-514-20-42-00	Communication	4,024	4,080	4,080	-
001-000-000-336-06-21-00	Criminal Justice - Violent Crimes/Population	1,028	500	500	-	001-000-000-514-20-43-00	Travel/Meals/Lodging	707	1,000	1,000	-
001-000-000-336-06-25-00	Criminal Justice - Contracted Services	1,543	1,500	1,500	-	001-000-000-514-20-43-01	Training	615	1,500	1,500	-
001-000-000-336-06-26-00	Criminal Justice - Special Programs	895	795	795	-	001-000-000-514-20-45-00	Postage Meter Rental	1,449	1,452	1,452	-
001-000-000-336-06-51-00	DUI & Other Criminal Justice Assistance	169	300	300	-	001-000-000-514-20-46-00	Insurance	193	-	-	-
001-000-000-336-06-94-00	Liquor Excise Tax	1,143	4,176	4,176	0	001-000-000-514-20-47-00	Electricity	318	-	-	-
001-000-000-336-06-95-00	Liquor Board Profits	8,975	8,244	8,244	(0)	001-000-000-514-20-47-01	Garbage Bills	3,474	3,049	3,049	- includes city recycling c
001-000-000-337-00-01-00	PCOG For Fire Station	25,000	25,000	25,000	-	001-000-000-514-20-47-02	Water - City Hall	616	432	432	-
001-000-000-337-00-02-00	PCOG For Community Building	18,979	18,979	18,979	-	001-000-000-514-20-47-03	Sewer - City Hall	920	1,440	1,440	-
001-000-000-341-81-00-00	Photocopying	20	100	100	-	001-000-000-514-20-47-04	Storm Drainage	301	300	300	-
001-000-000-341-96-00-00	Other General Government Services	275	-	-	-	001-000-000-514-20-48-00	Repairs & Maintenance	481	500	500	-
001-000-000-342-20-00-00	Fire Protection Services	4,978	8,000	8,000	-	001-000-000-514-20-49-00	Miscellaneous	-	4,000	4,000	-
001-000-000-353-10-03-01	Municipal Court Fines	7,588	5,000	5,000	-	001-000-000-514-23-41-00	Audit Costs	6,767	20,400	20,400	-
001-000-000-353-70-00-00	Non-Traffic Infraction Penalties	49	25	25	-	001-000-000-514-30-00-00	Records Services	-	-	-	-
					-	<b>General Government</b>		<b>147,967</b>	<b>165,653</b>	<b>165,483</b>	<b>(170)</b>
001-000-000-361-11-00-00	Investment Interest	157	500	500	-	001-000-000-515-30-41-00	Legal Services	23,118	20,000	20,000	-
001-000-000-361-40-00-00	Other Interest	158	40	40	-	001-000-000-519-70-49-00	Assoc of WA Cities (dues)	465	720	720	-
001-000-000-362-40-00-00	Space & Facility Rental	391	-	-	-	001-000-000-519-70-49-01	Pacific Council of Governments	1,500	1,500	1,500	-
001-000-000-362-50-00-04	Community Building - Rent	4,272	3,250	3,250	-	001-000-000-519-70-49-03	Pacific County EDC	500	500	500	-
001-000-000-362-50-01-00	Community Building - Electricity	12,706	11,500	11,500	-	001-000-000-521-10-50-00	Law Enforcement Contract	183,139	214,250	214,250	-
001-000-000-362-90-00-00	Community Building - Other	23	-	-	-	001-000-000-521-30-40-00	Drug Task Force	-	-	-	-
					-	<b>Legal &amp; Law Enforcement</b>		<b>208,722</b>	<b>236,970</b>	<b>236,970</b>	<b>-</b>
001-000-000-367-00-00-00	Templin Foundation Grant			14,000	14,000	001-000-000-522-10-10-00	Salaries & Wages	15,399	15,952	17,298	1,346
001-000-000-367-19-00-00	Black Lake Fish Derby Donations	4,997	5,000	5,000	-	001-000-000-522-10-20-00	Personnel Benefits	9,228	10,196	10,426	230
001-000-000-367-19-00-01	Ilwaco Park Fund Donations	2,500	-	-	-						-
001-000-000-367-19-00-03	Fireworks Donation			15,000	15,000	001-000-000-522-10-20-01	Board of Volunteer Firemen	120	2,100	2,100	-
001-000-000-369-10-00-00	Sale of Scrap And Junk	5,383	-	-	-	001-000-000-522-10-20-02	Life & Disability Insurance	4,318	3,600	3,600	-

2015 Budget - City of Ilwaco

6/2/2015

001 General Fund			ESTIMATED REVENUES -			ESTIMATED EXPENDITURES -							
			2014	2015	2015		2014	2015	2015				
			Actual	Orginal	Amended		Actual	Orginal	Amendment				
001-000-000-386-83-08-00	Trauma Care		146	170	170	-	001-000-000-522-10-31-00	Office & Operating Supplies	9,398	10,730	10,730	-	
001-000-000-386-83-31-00	Auto Theft		280	220	220	-	001-000-000-522-10-31-01	Training/Attendance	7,746	10,650	9,150	(1,500)	To compensate for the s
001-000-000-386-83-32-00	Brain Trauma		52	40	40	-	001-000-000-522-10-32-00	Gasoline	708	1,600	1,600	-	
001-000-000-386-91-00-00	ST Gen Fund 40		1,216	1,300	1,300	-	001-000-000-522-10-35-00	Small Tools & Equipment	-	7,700	7,700	-	
001-000-000-386-92-00-00	ST Gen Fund 50		667	700	700	-	001-000-000-522-10-42-00	Communication	5,608	4,440	4,440	-	
001-000-000-386-97-00-00	JIS Account		541	225	225	-	001-000-000-522-50-46-00	Insurance	12,013	9,540	9,540	-	
001-000-000-397-00-00-01	Transfer From 101-Bldg. Rental		11,500	11,500	11,500	-	001-000-000-522-50-47-00	Electricity	6,857	7,000	7,000	-	
001-000-000-397-00-00-02	Transfer From 401-Bldg. Rental		12,375	12,375	12,375	-	001-000-000-522-50-47-01	Water	2,260	1,500	1,500	-	
001-000-000-397-00-00-03	Transfer From 409-Bldg. Rental		20,275	20,275	20,275	-	001-000-000-522-50-47-02	Sewer	3,582	2,940	2,940	-	
001-000-000-397-00-00-06	Transfer From 104			2,500	2,500	-	001-000-000-522-50-47-03	Storm Drainage	733	500	500	-	
001-000-000-397-00-00-07	Transfer from 408		5,500	5,500	5,500	-	001-000-000-522-50-48-00	Repair & Maintenance	4,171	2,800	2,800	-	
001-000-000-397-00-00-08	Transfer from 301		2,500	-	-	-	001-000-000-522-60-00-00	Vehicle & Equipment Maintenance	10	800	800	-	
001-000-000-398-00-00-00	Insurance Recoveries		2,719	-	-	-	<b>Fire Department</b>		<b>82,151</b>	<b>92,048</b>	<b>92,124</b>	76	
							001-000-000-523-20-40-00	Correctional Institutions	3,387	3,500	3,500	-	
							001-000-000-523-21-00-01	Juvenile Facility	-	50	50	-	
							001-000-000-525-60-51-00	Disaster Preparedness	5,298	5,753	5,753	-	
							001-000-000-528-60-51-00	Dispatch Services	22,434	28,729	28,729	-	
							<b>Other Emergency Service</b>		<b>31,119</b>	<b>38,032</b>	<b>38,032</b>	-	
							001-000-000-553-70-51-00	Air Pollution Control	423	423	423	-	
							001-000-000-557-20-41-00	Ilwaco Web Page	4,062	1,500	1,500	-	
							001-000-000-558-60-41-00	Planner Services	84,799		70,000	-	
							001-000-000-566-00-51-00	Alcohol Program 2%	144	250	250	-	
							<b>Other General Government</b>		<b>89,428</b>	<b>72,173</b>	<b>72,173</b>	-	
							001-000-000-572-50-41-00	Custodian Library	4,079	4,140	4,140	-	
							001-000-000-572-50-46-00	Insurance	10,869	1,781	1,781	-	
							001-000-000-572-50-47-00	Electricity	7,527	6,500	6,500	-	
							001-000-000-572-50-47-01	City Water	1,869	1,200	1,200	-	
							001-000-000-572-50-47-02	City Sewer	2,800	2,200	2,200	-	
							001-000-000-572-50-47-03	Storm Drainage	120	100	100	-	
							001-000-000-572-50-48-00	Repairs & Maintenance	2,914	900	900	-	
							001-000-000-572-50-49-00	Miscellaneous	70	100	100	-	
							<b>Library</b>		<b>30,248</b>	<b>16,921</b>	<b>16,921</b>	-	
							001-000-000-573-90-30-00	Street Banners	-			-	
							001-000-000-573-90-49-00	Black Lake Fishing Derby	4,200	5,000	5,000	-	
							001-000-000-573-90-49-01	Port of Ilwaco Fireworks			15,000	15,000	
							001-000-000-575-50-40-00	Community Bldg Other - Electri	4,700	6,220	6,220	-	
							001-000-000-575-50-40-01	Community Bldg Other-Mntc	13	2,000	2,000	-	
							001-000-000-575-50-40-04	Community Building Insurance	-	9,120	9,120	-	
							<b>Other Community Bldg &amp;</b>		<b>8,913</b>	<b>22,340</b>	<b>37,340</b>	15,000	
							001-000-000-576-80-10-00	Parks Salaries and Wages	26,430	35,744	35,334	(410)	
							001-000-000-576-80-20-00	Parks Benefits	9,470	15,039	14,969	(70)	
							001-000-000-576-80-31-00	Office & Operating Supplies	7,295	4,500	4,500	-	
							001-000-000-576-80-34-00	Aquatic Weed Treatment	1,395	19,519	19,519	-	
							001-000-000-576-80-35-00	Small Tools & Equipment	12,774	8,000	7,000	(1,000)	
							001-000-000-576-80-46-00	Insurance	2,288	2,294	2,294	-	
							001-000-000-576-80-47-00	Electricity	1,123	1,000	1,000	-	
							001-000-000-576-80-47-01	Water-Parks, Sprinklers,Blk Lake	2,830	2,600	2,600	-	
							001-000-000-576-80-47-02	Sewer-Parks, Black Lake	2,362	2,400	2,400	-	





2015 Budget - City of Ilwaco

6/2/2015

104 TOURISM

ESTIMATED REVENUES

ESTIMATED EXPENDITURES

		2014 Actual	2015 Original	2015 Amendment
104-000-000-313-31-00-00	Hotel-Motel Tax	30,649	30,000	30,000
104-000-000-361-11-00-00	Investment Interest	39	130	130
<b>GRAND TOTALS ALL REVENUES</b>				
		<b>30,688</b>	<b>30,130</b>	<b>30,130</b>

		2014 Actual	2015 Original	2015 Amendment
104-000-000-557-30-40-01	Fishing Derby	-		
104-000-000-557-30-40-03	Miscellaneous	-		
104-000-000-557-30-41-01	Heritage Museum	5,000	5,000	5,000
104-000-000-557-30-41-02	Visitors Bldg. - City Portion	769	769	769
104-000-000-557-30-41-03	Ilwaco Merchants Association	7,500	3,000	3,000
104-000-000-557-30-41-03	Fireworks		7,500	7,500
104-000-000-557-30-41-04	Peninsula Visitors Bureau	7,500	7,875	7,875
104-000-000-557-30-41-05	Ilwaco Charter Association	1,000	1,000	1,000
104-000-000-557-30-46-00	Heritage Museum - Insurance	5,504	5,520	5,520
104-000-000-597-00-00-00	Contingency	-	36,000	36,000
104-000-000-597-00-00-01	Transfer TO 001	2,500	2,500	2,500
<b>GRAND TOTAL EXPENDITURES</b>		<b>65,789</b>	<b>69,164</b>	<b>69,164</b>

2015 Reserve Contribution /(Depletion) 35,101 (39,034) (39,034)

Reserve Analysis

		original	amended	
<b>CARRYOVER FROM PRIOR YEAR (Beginning Balance)</b>		<b>\$58,587</b>	<b>\$59,160</b>	includes SP carryover
Revenues	\$30,130			
Expenses	(69,164)			
<b>2015 Reserve Contribution /(Depletion)</b>		<b>(\$39,034)</b>	<b>(39,034)</b>	
<b>CARRYOVER TO NEXT YEAR</b>		<b>\$19,553</b>	<b>\$20,126</b>	

Ending Balance is comprised of :  
Contingency Reserve

Desired Reserve for cashflow 10,000.00

**2015 Budget - City of Ilwaco**

6/2/2015

**301 EXCISE RESERVE FUND**

**ESTIMATED REVENUES**

**ESTIMATED EXPENDITURES**

		2014 Acutal	2015 Orginal	2015 Amendment			2014 Actual	2015 Orginal	2015 Amendment
301-000-000-318-	Real Estate Excise Tax -	9,421	9,000	9,000		301-000-000-597-00-00-01			
301-000-000-361-	Investment Interest	12							
							14,000		
								20,000	20,000
<b>GRAND TOTAL ALL REVENUES</b>		<b>9,433</b>	<b>\$9,000</b>	<b>9,000</b>	<b>GRAND TOTAL EXPENDITURES</b>		<b>14,000</b>	<b>20,000</b>	<b>20,000</b>

**2015 Reserve Contribution /(Depletion) (\$11,000)**

**Reserve Analysis**

	original	amend
<b>CARRYOVER FROM PRIOR YEAR (Beginning Balance)</b>	\$ 12,296	\$ 11,730
<b>2015 Reserve Contribution /(Depletion)</b>	(11,000)	(\$11,000)
<b>CARRYOVER TO NEXT YEAR</b>	<b>1,296</b>	<b>730</b>

401 Water Fund		2015 Budget - City of Ilwaco										6/2/2015
ESTIMATED REVENUES					ESTIMATED EXPENDITURES							
		2014 Actual	2015 Orginal	2015 Amendment				2014 Actual	2015 Orginal	2015 Amendment		
401-000-000-334-04-00-01	State Grant - Department of Health	79,765	780,000	846,000	66,000	401-000-000-534-00-10-00	Salaries & Wages	193,009	216,634	220,634	4,000	
401-000-000-343-40-00-00	Water Sales	764,080	710,890	710,890	-	401-000-000-534-00-20-00	Benefits	61,030	74,490	73,651	839	
401-000-000-343-40-00-01	Other Utilities	232			-	401-000-000-534-00-31-00	Operation & Maintenance	69,489	40,000	40,000	-	
401-000-000-343-40-00-02	Other Rev Sources	22,741	5,000	5,000	-	401-000-000-534-00-31-01	Chemicals	59,520	40,000	40,000	-	
401-000-000-361-11-00-00	Investment Interest	209	200	200	-	401-000-000-534-00-31-02	Monthly Excise Tax Pay	42,114	35,751	35,751	(0)	
401-000-000-379-00-00-00	Water Connections	-			-	401-000-000-534-00-31-03	Annual Meter Calibrations	1,592	2,500	2,500	-	
401-000-000-379-00-00-01	Water Connections	12,316	7,500	7,500	-	401-000-000-534-00-31-04	Annual Permit Fees	6,244	5,000	5,000	-	
401-000-000-391-80-00-00	Intergovernmental Loan Proceeds	875,493	-			401-000-000-534-00-31-06	Office & Customer Service	5,699	6,000	6,000	-	
401-000-000-395-10-00-00	Proceeds From Sales of Capital Assets	3				401-000-000-534-00-32-00	Gasoline	7,961	7,500	7,500	-	
						401-000-000-534-00-35-00	Small Tools & Equipment	2,162	5,000	5,000	-	
						401-000-000-534-00-35-01	Small Tools & Equipment - Lab	-	5,000	5,000	-	
						401-000-000-534-00-41-00	Professional Services	17,131	10,000	10,000	-	
						401-000-000-534-00-41-03	Professional Services - Electrician	13,344	12,000	12,000	-	
						401-000-000-534-00-41-04	Professional Services - Computer	7,872	9,000	9,000	-	
						401-000-000-534-00-42-00	Communications	4,701	4,500	4,500	-	
<b>TOTAL</b>		<b>1,754,839</b>	<b>1,503,590</b>	<b>1,569,590</b>		401-000-000-534-00-43-00	Travel/Meals/Lodging	1,527	2,000	2,000	-	
						401-000-000-534-00-46-00	Insurance	18,761	18,802	18,802	-	
						401-000-000-534-00-47-00	Electricity	30,241	35,000	35,000	-	
						401-000-000-534-00-47-03	Storm Drainage	556	660	660	-	
						401-000-000-534-00-48-00	Vehicle Repairs/Maintenance	7,538	5,000	5,000	-	
						401-000-000-534-00-48-01	Water Line Replacement	3,416	5,000	5,000	-	
						401-000-000-534-00-49-01	Safety Training	680	500	500	-	
						401-000-000-534-00-49-02	Software Upgrade	2,133	2,000	2,200	(200)	
							Miscellaneous		7,500	7,500	-	
							<b>Subtotal O&amp;M</b>	<b>556,720</b>	<b>549,836</b>	<b>553,198</b>	<b>(3,362)</b>	
						401-000-000-591-34-72-00	Principal Pwtf - 94206	-	-	-	-	
						401-000-000-591-34-72-01	Principal Pwtf - 04-65104-013	20,942	16,985	16,985	(0)	
						401-000-000-592-34-80-00	Interest Pwtf - 94206	-	-	-	-	
						401-000-000-592-34-83-01	Interest Pwtf - 04-65104-013	2,133	1,864	1,864	0	
						401-000-150-591-34-79-03	New DWSRF loans	-	66,248	66,248	-	
							<b>Subtotal Debt</b>	<b>23,075</b>	<b>85,097</b>	<b>85,097</b>	<b>0</b>	
						401-000-000-594-62-34-00	Plant Improvements	1,598	121,000	121,000	-	
						401-000-000-594-64-34-00	Vehicle Purchase	3,062	-	-	-	
						401-000-000-594-64-34-01	Equipment	22,609	44,500	40,500	4,000	
						401-000-000-594-64-34-02	Contingency(paint reservoir)	4,000	100,000	100,000	-	
							<b>Subtotal SLA Expenditures</b>	<b>31,269</b>	<b>265,500</b>	<b>261,500</b>	<b>4,000</b>	
						401-000-000-594-34-41-01	Engineering - Plant	35,410	-	-	-	
						401-000-000-594-34-41-02	Engineering - Distribution	5,957	-	-	-	
						401-000-000-594-34-62-00	Construction Project -Resvoir	595,923	-	-	-	
						401-000-000-594-34-62-01	Construction - Plant	30,950	780,000	846,000	(66,000)	
						401-000-000-594-34-62-02	Construction - Distribution	193,525	-	3,500	(3,500)	
							<b>Subtotal Project</b>	<b>861,765</b>	<b>780,000</b>	<b>849,500</b>	<b>(69,500)</b>	
						401-000-000-597-00-00-02	Transfer TO 001	12,375	12,375	12,375	-	
						401-000-000-597-00-00-03	Transfer TO 403 Usda 91-01	4,354	4,354	4,354	-	
						401-000-000-597-00-00-04	Transfer To403pwtf04-65104-	-	-	-	-	





		2015 Budget – City of Ilwaco								
<u>403 Bond Redemption Fund</u>										
ESTIMATED REVENUES		ESTIMATED EXPENDITURES								
ESTIMATED REVENUES		ESTIMATED EXPENDITURES								
		2014	2015	2015				2014	2015	2015
		Budget	Orginal	Amendment				Actual	Orginal	Amendment
403-000-000-397-00-00-00	Intertie Loan Usda 91-01	4,354	4,354	4,354	403-000-000-591-34-70-01	Pwtf 97-791-007 Principal	13,118	13,118	13,118	
403-000-000-397-00-00-03	Transfer-Sewer Pwtf97-791-007	14,692	14,299	14,299	403-000-000-591-34-70-03	Pwtf 04-691 Principal	1,496	1,496	1,496	
403-000-000-397-00-00-04	Transfer From Sewer-Pwtf 2003	-	-	-	403-000-000-591-34-70-04	Pwtf 05-691 Principal	20,260	20,260	20,260	
403-000-000-397-00-00-05	Transfer-Sewer Pwtf 04-691	1,660	1,646	1,646	403-000-000-591-34-70-05	Pwtf 04-65104-013 Principal	-	-	-	
403-000-000-397-00-00-06	Transfer-Sewer Pwtf 05-691	25,123	24,718	24,718	403-000-000-591-34-72-00	Usda 91-01 Principal	2,264	2,378	2,378	
403-000-000-397-00-00-07	Transfer-Sewer DOE	248,343	285,424	285,424	403-000-000-591-35-72-01	Srf 94-08 Principal Only	104,308	104,308	104,308	
403-000-000-397-00-00-08	Transfer from Sewer PC13-961-054 Nesadi	1,220	1,226	1,226	403-000-000-591-35-72-04	Pwtf - 06-962-0017 Principal	12,559	11,898	11,898	
403-000-000-397-00-70-02	Transfer From Sewer Srf 94-08	104,308	104,308	104,308	403-000-000-591-35-72-06	B of P - 2008 - Principal	15,817	15,275	15,275	
403-000-000-397-00-70-05	Tran From Wat Pwtf04-65104-013	-	-	-	403-000-000-591-35-72-07	PWTF PR09-951-050	9,954	-	-	
403-000-000-397-00-72-04	Tran From Sewer Pwtf06-962-017	13,375	13,326	13,326	403-000-000-591-35-78-00	DOE SRF L1300001 - Principal	130,070	133,626	133,626	
403-000-000-397-00-72-06	Trans From Sewer-B of P 2008	29,647	29,648	29,648	403-000-000-591-35-78-01	DOE SRF L1300003 -Principal	5,805	38,964	38,964	
403-000-000-397-00-72-07	Trans From Sewer PWTF 09-951-050	10,054			403-000-000-591-35-78-02	DOE SRF L1300006 - Principal	2,203	4,892	4,892	
					403-000-000-592-34-80-00	Usda 91-01 Interest	2,090	1,976	1,976	
					403-000-000-592-34-80-01	Pwtf 97-791-007 Interest	1,574	1,181	1,181	
					403-000-000-592-34-80-03	Pwtf 04-691 Interest	164	150	150	
					403-000-000-592-34-80-04	Pwtf 05-691 Interest	4,862	4,457	4,457	
					403-000-000-592-34-80-05	Pwtf 04-65104-013 Interest	-	-	-	
					403-000-000-592-34-80-07	PWTF PR09-951-050	100	-	-	
					403-000-000-592-35-80-04	Pwtf - 06-962-0017 Interest	816	1,428	1,428	
					403-000-000-592-35-80-05	PWTF PC13-961-054 Nesadi Interest	1,219	1,226	1,226	
					403-000-000-592-35-80-06	B of P - 2008 - Interest	13,829	14,372	14,372	
					403-000-000-592-35-83-00	DOE SRF L1300001 - Interest	85,597	82,041	82,041	
					403-000-000-592-35-83-01	DOE SRF L1300003 - Interest	24,441	25,641	25,641	
					403-000-000-592-35-83-02	DOE SRF L1300006 - Interest	225	263	263	
<b>TOTAL</b>		<b>452,776</b>	<b>478,948</b>	<b>478,948</b>	<b>TOTAL</b>		<b>452,771</b>	<b>478,949</b>	<b>478,949</b>	
<b>Reserve Analysis</b>										
<b>CARRYOVER FROM PRIOR YEAR</b>										
	\$	478,948								
	\$	(478,949)								

2015 Budget - City of Ilwaco										6/2/2015
404 Bond Reserve Fund										
ESTIMATED REVENUES					ESTIMATED EXPENDITURES					
		2014 Actual	2015 Original	2015 Amendment						
404-000-000-397-35-70-01	WWTP Bond Reserve- L1300001	4,668	4,668	4,668	+2	Reserve				
404-000-000-397-35-70-02	Wwtp Srf Reserve- First Avenue	12,920	12,920	12,920	+3					
404-000-000-397-35-70-03	Wwtp 2004-Usda Reserve	-	-	-						
404-000-000-397-35-72-06	Wwtp 2008 Reserve-B of P	2,965	2,965	2,965	+2	TOTAL			\$0.00	
		20,553	20,553	20,553						
						2015 Reserve Contribution /(Depletion)			\$20,552.93	
<b>Reserve Analysis</b>										
CARRYOVER FROM PRIOR YEAR (Beginning Balance)			Original \$ 347,731.00	Amended \$ 327,178.00						
2015 Reserve Contribution /(Depletion)			\$ 20,552.93	\$ 20,552.93						
CARRYOVER TO NEXT YEAR			\$ 368,283.93	\$ 347,730.93						
									Thru 2014	
								Needed	Have	Difference
WTP Bond Reserve-1987-#91-01				Water		Ord. 541		\$ 4,500.00	\$ 4,500.00	\$ -
WWTP Bond Reserve First Ave								\$ 64,604.00	\$ 12,920.00	\$ 51,684.00
WWTP Bond Reserve-1999-#92-07 - transfered to L1300001				Sewer Plant		Ord. 615	141,762			\$ -
WWTP Bond Reserve-2000-#L9400008			(Seaview 39,537.90)	Sewer Plant				\$ 104,307.88	\$ 104,307.88	\$ -
WWTP Bond Reserve L1300001 (refi of USDA 92-07 & 92-10)			(Seaview 59,371)	Sewer Plant & SBR #3				\$ 215,666.70	\$ 201,663.00	\$ 14,003.70
WWTP Bond Reserve-2004-#92-10 - transfered to L1300001				SBR#3			61,368			\$ -
WWTP Bond Reserve-2008-BofP				PumpStations		Ord. 736		\$ 29,646.80	\$ 24,341.12	\$ 5,305.68
								\$ 418,725.38	\$ 347,732.00	\$ 70,993.38
									\$ 347,732.00	
SRF/DOE Loan #L1300001 requires 1 annual payment accrued over the first 5 years of loan.										
SRF/DOE Loan #L9400008 requires 1 annual payment accrued over the first 5 years of loan.										
USDA-RD Loan #92-07 required 1 annual payment in reserve within 10 yeasers.										
USDA-RD Bond requires 1 annual payment in reserve within 10 years.										







Five Year Proforma WATER FUND	Amdmt I	Forecast					Forecast
		2015	2016	2017	2018	2019	
Cash Balance Carry Forward from Prior Year	332,491	136,057	146,869	146,869	142,454	38,372	1,155
1.03 *							
Revenues							
Sales *	710,890	732,217	754,183	776,809	800,113	824,116	
Connections/loans/grants	858,700	78,700	78,700	78,700	78,700	78,700	
Sub total Revenue	1,569,590	810,917	832,883	855,509	878,813	902,816	
Expenditures							
Salary and Benefits*	294,285	303,114	312,207	321,573	331,221	341,157	
O&M*	40,000	41,200	42,436	43,709	45,020	46,371	
Chemicals*	40,000	41,200	42,436	43,709	45,020	46,371	
Excise*	35,751	36,824	37,928	39,066	40,238	41,445	
Insurance *	18,802	19,366	19,947	20,545	21,162	21,796	
Electricity*	35,000	36,050	37,132	38,245	39,393	40,575	
Other*	938,860	187,026	192,637	198,416	199,368	200,349	
Debt Svc	101,826	101,826	101,826	131,826	158,009	158,009	
Capital Expenditures	261,500	33,500	50,750	122,500	36,600	40,000	
Sub total Expenditures	1,766,024	800,105	837,298	959,590	916,031	936,074	
Contribution/Use of Reserves	(196,434)	10,812	(4,415)	(104,081)	(37,218)	(33,257)	
Operating Reserve : target = \$63,000							
Beginning balance	31,750	63,000	63,000	63,000	63,000	63,000	
Contribution to Reserve	31,250						
Ending balance	63,000	63,000	63,000	63,000	63,000	63,000	
Emergency Reserve: target = \$100,000							
Beginning balance	-	5,000	10,000	10,000	10,000	10,000	
Contribution to Reserve	5,000	5,000					
Ending balance	5,000	10,000	10,000	10,000	10,000	10,000	
Asset Replacement Reserve							
Beginning balance	300,741	68,057	73,869	69,454	(34,628)	(71,845)	
Contribution to Reserve		5,812	(4,415)				
Utilization of Reserve	232,684	-		104,081	37,218	33,257	
Ending balance	68,057	73,869	69,454	(34,628)	(71,845)	(105,103)	
New Construction Reserve							
Beginning balance	-	-	-	-	-	-	
Contribution to Reserve	-	-	-	-	-	-	
Ending balance	-	-	-	-	-	-	
Cash Balance Carry Forward to Next Year	136,057	146,869	142,454	38,372	1,155	(32,103)	
*includes all reserve funds						(32,103)	

Five Year Proforma SEWER FUND	Amendment 1 2015	Forecast 2016	Forecast 2017	Forecast 2018	Forecast 2019	Forecast 2020
<b>Cash Balance Carry Forward from Prior Year</b>						
	317,949	225,022	172,799	168,808	159,953	141,519
<b>1.03 *</b>						
<b>Revenues</b>						
Sales*	776,518	799,814	823,808	848,522	873,978	900,197
Seaview Fees (40%)	285,696	294,265	280,082	280,228	318,686	327,043
Seaview Loan Match	94,282	94,282	94,282	94,282	56,495	56,495
Loan Proceeds & Transfer in	285,000					
Connections	10,500	10,500	10,500	10,500	10,500	10,500
Sub total Revenue	1,451,996	1,198,860	1,208,672	1,233,532	1,259,659	1,294,235
<b>Expenditures</b>						
Salary and Benefits*	198,801	204,765	210,908	217,235	223,752	230,465
O&M*	12,000	12,360	12,731	13,113	13,506	13,911
Chemicals*	16,000	16,480	16,974	17,484	18,008	18,548
Excise*	15,530	15,996	16,476	16,970	17,480	18,004
Sludge Site	45,000	45,000	45,000	45,000	45,000	45,000
Insurance *	24,894	25,641	26,410	27,202	28,018	28,859
Electricity*	60,000	61,800	63,654	65,564	67,531	69,556
Other*	125,650	129,420	133,302	137,301	141,420	145,663
Debt Svc	515,422	515,422	512,437	544,318	481,377	481,377
Projects	285,000					
Capital Expenditures	224,200	224,200	174,750	160,700	242,000	247,600
Sub total Expenditures	1,544,923	1,251,084	1,212,663	1,244,887	1,278,092	1,298,984
Contribution/Use of Reserves	(92,927)	(52,224)	(3,991)	(11,356)	(18,433)	(4,749)
Operating Reserve : target = \$60,888						
Beginning balance	60,888	60,888	60,888	60,888	60,888	60,888
Contribution to Reserve	-	-	-	-	-	-
Ending balance	60,888	60,888	60,888	60,888	60,888	60,888
Emergency Reserve: target = \$100,000						
Beginning balance	100,000	100,000	100,000	100,000	100,000	100,000
Contribution to Reserve	-	-	-	-	-	-
Ending balance	100,000	100,000	100,000	100,000	100,000	100,000
Asset Replacement Reserve						
Beginning balance	141,126	45,699	(9,024)	(15,515)	(26,870)	(47,804)
Contribution to Reserve	95,427	54,724	(6,491)	11,356	20,933	(7,249)
Utilization of Reserve	45,699	(9,024)	(15,515)	(26,870)	(47,804)	(55,053)
Ending balance	191,854	91,399	20,070	(10,929)	(53,741)	(100,007)
Goulter Property Purchase Reserve						
Beginning balance	15,935	18,435	20,935	23,435	25,935	28,435
Contribution to Reserve	2,500	2,500	2,500	2,500	2,500	2,500
Ending balance	18,435	20,935	23,435	25,935	28,435	30,935
<b>Cash Balance Carry Forward to Next Year</b>	<b>225,022</b>	<b>172,799</b>	<b>168,808</b>	<b>159,953</b>	<b>141,519</b>	<b>136,770</b>

\*includes all reserve funds

**CITY OF ILWACO  
CITY COUNCIL AGENDA ITEM BRIEFING**

A. Meeting Dates: Council Workshop: Public Hearing: 5/26/2015  
Council Discussion Item: 5/26/15 Council Business Item: 6/08/2015

Issue/Topic: **Six-Year Transportation Improvement Program**

B. Sponsor(s):

1. David Jensen
2. Gary Forner

C. Background (overview of why issue is before council):

Annually, the city is required to update the six-year transportation improvement program and submit it to the state. The Streets Committee has recently met with the mayor to update the plan.

D. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details)

While the city has very little money to complete the projects listed on the plan, the projects typically must be listed on the plan when seeking funds from other agencies, such as the Transportation Improvement Board. Since the last meeting, the extension of the Discovery Trail has been added.

E. Impacts:

1. Fiscal:
2. Legal:
3. Personnel:
4. Service/Delivery: There are numerous deteriorating streets in the city.

F. Time Constraints/Due Dates: The plan must be submitted to the regional office by July 1, 2015.

G. Proposed Motion: **I move to adopt the proposed resolution revising and extending the six-year transportation improvement program from 2016-2021.**

**CITY OF ILWACO  
RESOLUTION NO. 2015-XX**

**A RESOLUTION OF THE CITY OF ILWACO, WASHINGTON, REVISING  
AND EXTENDING THE SIX YEAR TRANSPORTATION IMPROVEMENT  
PROGRAM**

**WHEREAS**, pursuant to the requirements of RCW 35.77.010, laws of the State of Washington, the City of Ilwaco has prepared a revised and extended Six Year Transportation Improvement program for the ensuing six calendar years of 2016 to 2021, and

**WHEREAS**, pursuant further to said law, the City Council did hold a public hearing on said plan at 6:00 pm or soon thereafter on the 26th day of May 2015,

**NOW THEREFORE**, be it resolved by the City Council that the revised and extended Six Year Transportation Improvement Program for the ensuing calendar years 2016 to 2021 be the same and is hereby adopted, and

Be it further resolved, that a copy of this resolution be filed with the Department of Transportation District Aid Engineer of the State of Washington.

**Effective Date.** This Resolution, being an exercise of power specifically delegated to the city legislative body, is not subject to referendum and shall take effect five (5) days after passage by the City Council.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED  
IN AUTHENTICATION OF ITS PASSAGE THIS XX<sup>TH</sup> DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Mike Cassinelli, Mayor

ATTEST:

\_\_\_\_\_  
Ariel Smith, Treasurer

VOTE	Jensen	Mulinix	Marshall	Chambreau	Forner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

EFFECTIVE:



## Six Year Transportation Improvement Program From 2016 to 2021

Agency: Ilwaco

County: Pacific

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	1	Adelia and Spruce Street Cutoff Adelia St. and Spruce St. SR 101 Cutoff to Lake Street Pave from SR 101 cutoff to Lake Street including parking area	WA-02776	05/26/15	06/08/15		2015-xx	03		0.110		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2016		0	TIB	76,000	0	76,000
P	CN	2017		0	TIB	400,000	20,000	420,000
<b>Totals</b>				<b>0</b>		<b>476,000</b>	<b>20,000</b>	<b>496,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	76,000	0	0	0	0
CN	0	420,000	0	0	0
<b>Totals</b>	<b>76,000</b>	<b>420,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Six Year Transportation Improvement Program From 2016 to 2021

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County: Pacific

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	2	Capt. Robert Gray Drive - Vandalia Captain Robert Gray Drive Stringtown Rd to Orelus E Chip seal Capt. Robert Gray Dr. from Stringtown Rd to Ortelius E	WA-02777	05/26/15	06/08/15		2015-xx	07		0.340		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	CN	2016		0	TIB	118,679	6,246	124,925
<b>Totals</b>				<b>0</b>		<b>118,679</b>	<b>6,246</b>	<b>124,925</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	124,925	0	0	0	0
<b>Totals</b>	<b>124,925</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

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County: Pacific

MPO/RTPO: SWW RTPO

N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	3	Cooks Hill Intersection Cooks Road NE Cooks Road NE to SR 101 Rebuild hazardous intersection	WA-02807	05/26/15	06/08/15		2015-xx	07		0.050		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	TIB	50,000	0	50,000
P	CN	2018		0	TIB	446,850	26,150	473,000
<b>Totals</b>				<b>0</b>		<b>496,850</b>	<b>26,150</b>	<b>523,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	50,000	0	0	0	0
CN	0	473,000	0	0	0
<b>Totals</b>	<b>50,000</b>	<b>473,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

Agency: Ilwaco

County: Pacific

MPO/RTPO: SWW RTPO

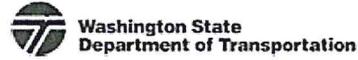
N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	4	Discovery Trail Extension  Main Street to Cooks Hill Connect the Discovery from Main Street to Cooks Hill.	WA-06602	05/26/15	06/08/15		2015-xx	28		1.400		Yes

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2016		0	Ped/Bike Program	260,000	0	260,000
P	CN	2018		0	Ped/Bike Program	1,468,000	0	1,468,000
<b>Totals</b>				<b>0</b>		<b>1,728,000</b>	<b>0</b>	<b>1,728,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	260,000	0	0	0	0
CN	0	1,468,000	0	0	0
<b>Totals</b>	<b>260,000</b>	<b>1,468,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
06	5	Hilltop School Route - Advent Street Advent and Hemlock Spruce to Quaker Pave Advent Ave.: Spruce thru Fir (w/sidewalks Spruce to Willow). Advent. Hemlock: Advent to Brumbach.	WA-02759	05/26/15	06/08/15		2015-xx	07		0.340		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2016		0	TIB	80,000	0	80,000
P	CN	2017		0	TIB	401,000	25,000	426,000
<b>Totals</b>				<b>0</b>		<b>481,000</b>	<b>25,000</b>	<b>506,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	80,000	0	0	0	0
CN	0	401,000	0	0	0
<b>Totals</b>		<b>80,000</b>	<b>401,000</b>	<b>0</b>	<b>0</b>



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Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	6	Scarboro Lane Improvements Scarboro Ln/Scarboro Dr Scarboro Ln South to Scarboro Ln South Scarboro Ln N from Scarboro Dr to Ortelius Dr Chip Seal and add storm drain	WA-02772	05/26/15	06/08/15		2015-xx	07		0.320		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2016		0	TIB	40,000	0	40,000
P	CN	2017		0	TIB	197,000	12,000	209,000
<b>Totals</b>				<b>0</b>		<b>237,000</b>	<b>12,000</b>	<b>249,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	40,000	0	0	0	0
CN	0	209,000	0	0	0
<b>Totals</b>	<b>40,000</b>	<b>209,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	7	Lake Street Improvements Lake Street Adelia to Williams Pave shoulder and new sidewalks	WA-02762	05/26/15	06/08/15		2015-xx	03		0.400		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2017		0	TIB	94,000	0	94,000
P	CN	2018		0	TIB	476,000	30,000	506,000
<b>Totals</b>				<b>0</b>		<b>570,000</b>	<b>30,000</b>	<b>600,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	94,000	0	0	0	0
CN	0	506,000	0	0	0
<b>Totals</b>	<b>94,000</b>	<b>506,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
08	8	Pearl Av and Myrtle Av/Fire Hall Pearl Av and Myrtle Av Spruce to Howerton/Main Pave Pearl Av: Spruce to Howerton Pave Myrtle Av: Spruce to Lake Chip Seal Myrtle Av: Spruce end to (Main)	WA-02773	05/26/15	06/08/15		2015-xx	07		0.280		No

Funding									
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds	
P	PE	2017		0	TIB	61,000	0	61,000	
P	CN	2018		0	TIB	309,000	19,000	328,000	
<b>Totals</b>				<b>0</b>		<b>370,000</b>	<b>19,000</b>	<b>389,000</b>	

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	61,000	0	0	0	0
CN	328,000	328,000	0	0	0
<b>Totals</b>	<b>389,000</b>	<b>328,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	9	Ortelius Drive Ortelius Drive Stringtown Rd. to Capt. Robert Gray Drive Chip seal and add storm drains from Stringtown Rd. to Capt. Robert Gray Dr.	WA-02784	05/26/15	06/08/15		2015-xx	03		0.450		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2017		0	TIB	54,000	0	54,000
P	CN	2018		0	TIB	273,000	17,000	290,000
<b>Totals</b>				<b>0</b>		<b>327,000</b>	<b>17,000</b>	<b>344,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	54,000	0	0	0	0
CN	0	290,000	0	0	0
<b>Totals</b>	<b>54,000</b>	<b>290,000</b>	<b>0</b>	<b>0</b>	<b>0</b>

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	10	Vandalia Cul-de-Sacs Chattam/Rochelle/Delta/Glemorag/Ortelius Capt. Robert Gray Dr to South to dead end Chip seal from Capt. Robert Gray Dr to end of each Vandalia cul-de-sac	WA-02805	05/26/15	06/08/15		2015-xx	03		0.150		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	TIB	20,000	0	20,000
P	CN	2020		0	TIB	99,000	7,000	106,000
<b>Totals</b>				<b>0</b>		<b>119,000</b>	<b>7,000</b>	<b>126,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	20,000	0	0	0	0
CN	106,000	106,000	0	0	0
<b>Totals</b>	<b>126,000</b>	<b>106,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	11	Sidewalk Improvement Project Various Various to Various Repair/construct various city sidewalks	WA-02806	05/26/15	06/08/15		2015-xx	28		1.000		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
S	CN	2016		0	TIB	20,000	0	20,000
<b>Totals</b>				<b>0</b>		<b>20,000</b>	<b>0</b>	<b>20,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	20,000	0	0	0	0
<b>Totals</b>	<b>20,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	12	Reservoir Road Reservoir Road Wecoma to Dead End Chip Seal road from Wecoma to dead end	WA-02803	05/26/15	06/08/15		2015-xx	06		0.080		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	TIB	11,000	0	11,000
P	CN	2019		0	TIB	54,000	4,000	58,000
<b>Totals</b>				<b>0</b>		<b>65,000</b>	<b>4,000</b>	<b>69,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	11,000	0	0	0	0
CN	58,000	58,000	0	0	0
<b>Totals</b>	<b>69,000</b>	<b>58,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	13	Miscellaneous Chip Seals Advent/Myrtle/Ash/Eagle/Main SE/Pearl to Chip seal Advent SE from Lake to Spruce; Myrtle SE from Lake to dead end; Ash NE; Eagle NE	WA-03625	05/26/15	06/08/15		2015-xx	05		0.470		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	CN	2017		0		0	26,064	26,064
<b>Totals</b>				<b>0</b>		<b>0</b>	<b>26,064</b>	<b>26,064</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
CN	26,064	0	0	0	0
<b>Totals</b>	<b>26,064</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

## Six Year Transportation Improvement Program From 2016 to 2021

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N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	14	Main Street SW Main St SW to Repair sloughing street. Connect to Discovery Trail.	WA-03624	05/26/15	06/08/15		2015-xx	05		0.130		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2019		0	TIB	44,000	0	44,000
P	CN	2020		0	TIB	165,000	9,000	174,000
<b>Totals</b>				<b>0</b>		<b>209,000</b>	<b>9,000</b>	<b>218,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	44,000	0	0	0	0
CN	0	174,000	0	0	0
<b>Totals</b>	<b>44,000</b>	<b>174,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

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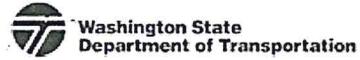
N Inside

Y Outside

Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
09	15	City Center Reservoir Road City Center Reservoir Rd Quaker to dead end/Cedar Chip Seal and dedicate gravel road on city property within the county's jurisdiction	WA-02788	05/26/15	06/08/15		2015-xx	01		0.150		No

Funding								
Status	Phase	Phase Start Year (YYYY)	Federal Fund Code	Federal Funds	State Fund Code	State Funds	Local Funds	Total Funds
P	PE	2018		0	TIB	64,000	0	64,000
P	CN	2018		0	TIB	244,000	13,000	257,000
<b>Totals</b>				<b>0</b>		<b>308,000</b>	<b>13,000</b>	<b>321,000</b>

Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
PE	64,000	0	0	0	0
CN	0	257,000	0	0	0
<b>Totals</b>	<b>64,000</b>	<b>257,000</b>	<b>0</b>	<b>0</b>	<b>0</b>



## Six Year Transportation Improvement Program From 2016 to 2021

Agency: Ilwaco

County: Pacific

MPO/RTPO: SWW RTPO

N Inside

Y Outside

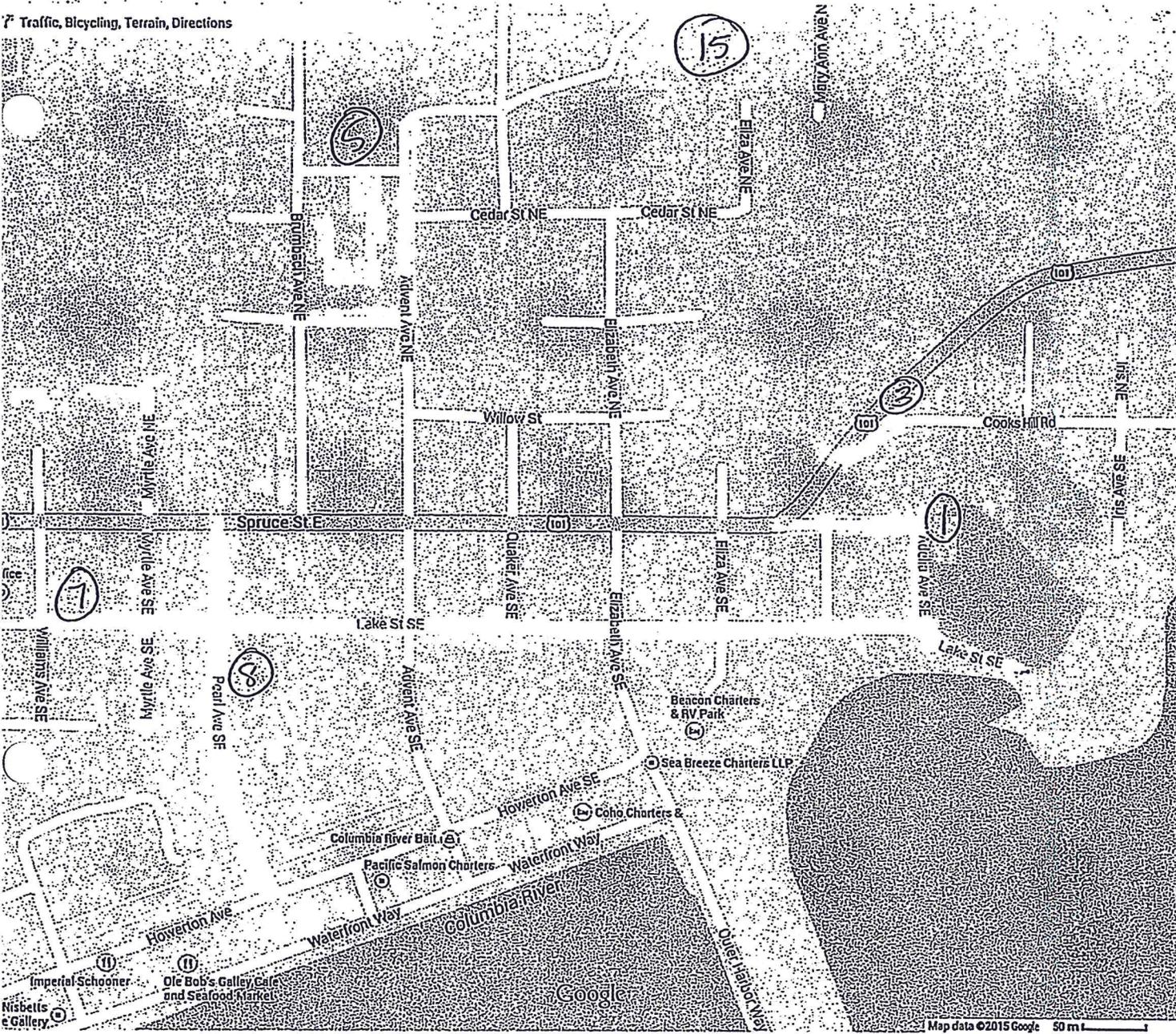
Functional Class	Priority Number	A. PIN/Project No. C. Project Title D. Road Name or Number E. Begin & End Termini F. Project Description	B. STIP ID  G. Structure ID	Hearing	Adopted	Amendment	Resolution No.	Improvement Type	Utility Codes	Total Length	Environmental Type	RW Required
00	16	Quaker extension Quaker City Center Reservoir Road to Develop road to Black Lake/old city shop	WA-06537	05/26/15	06/08/15		2015-xx	03				No

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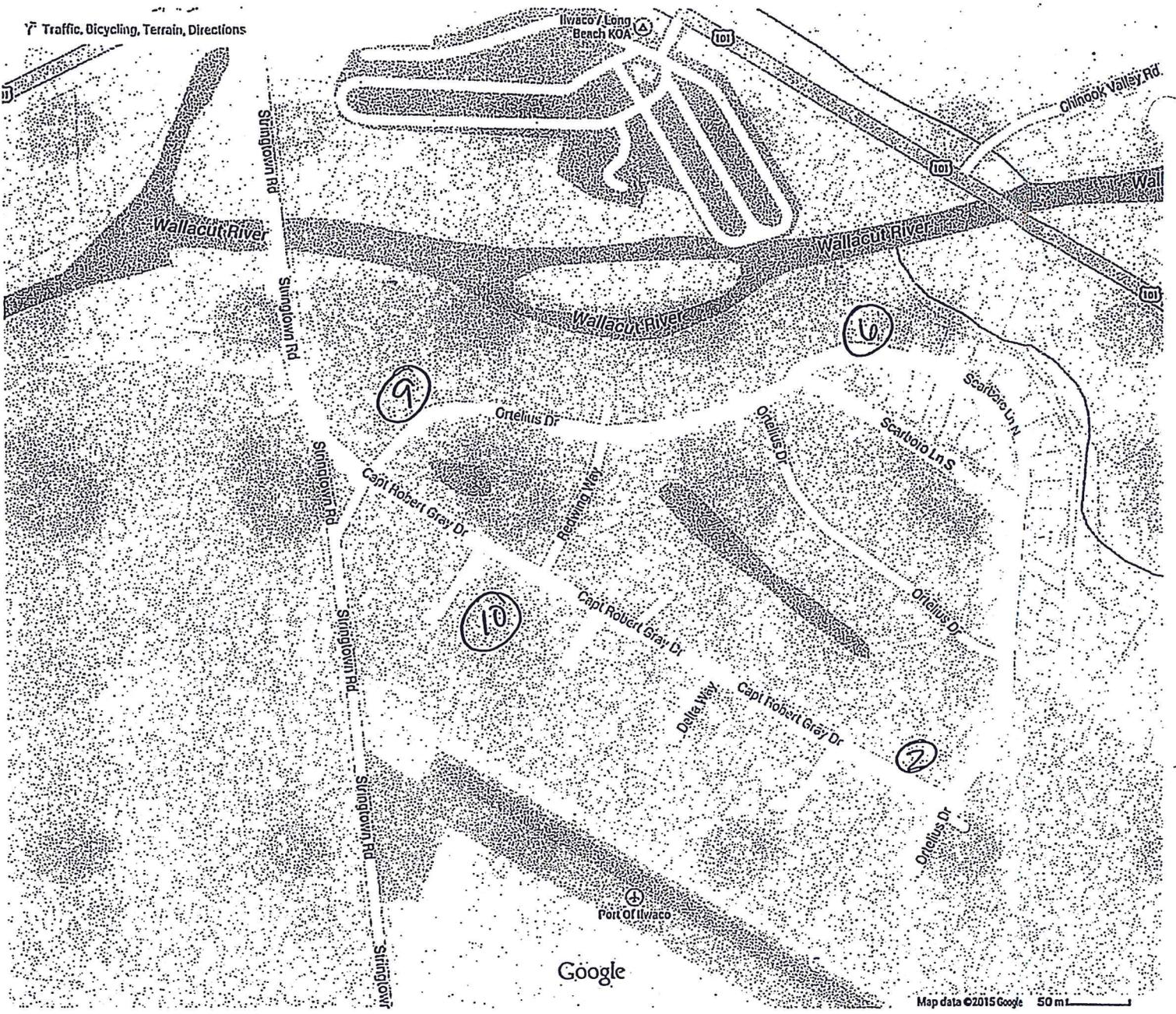
Expenditure Schedule					
Phase	1st	2nd	3rd	4th	5th & 6th
	0	0	0	0	0
<b>Totals</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

	Federal Funds	State Funds	Local Funds	Total Funds
<b>Grand Totals for Ilwaco</b>	<b>0</b>	<b>5,525,529</b>	<b>214,460</b>	<b>5,739,989</b>

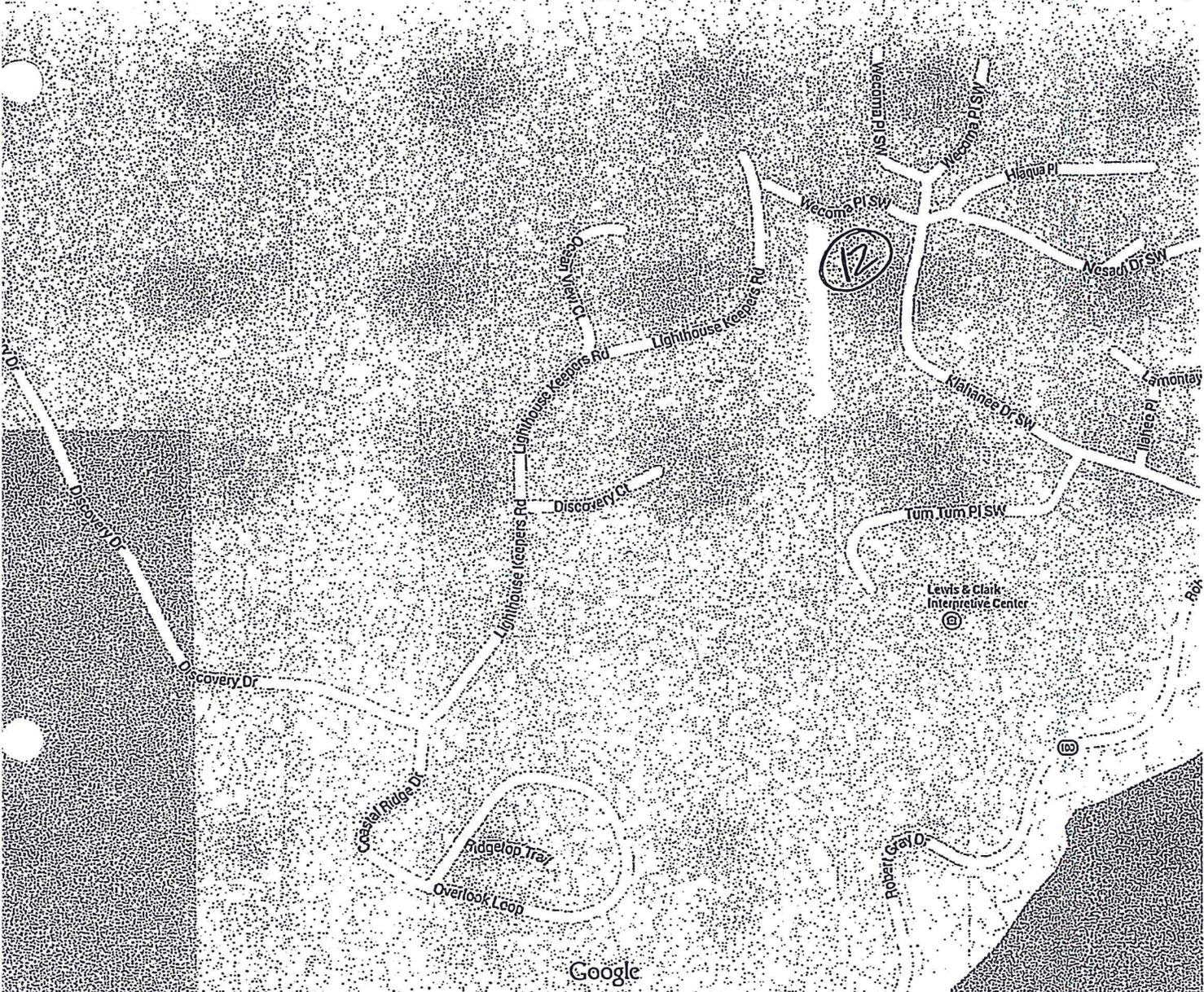
Traffic, Bicycling, Terrain, Directions



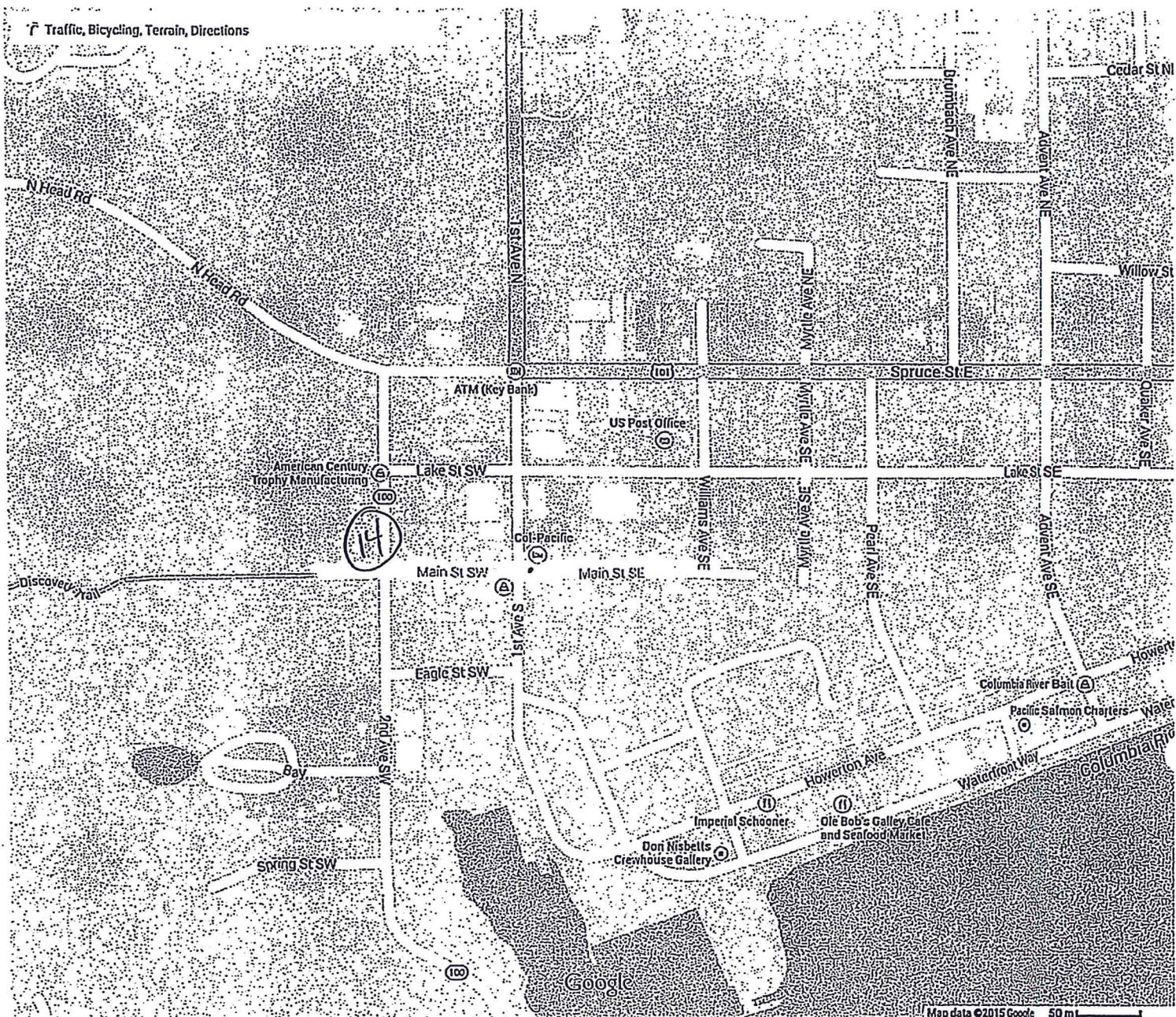
Traffic, Bicycling, Terrain, Directions



Google



Traffic, Bicycling, Terrain, Directions



**CITY OF ILWACO**  
**CITY COUNCIL AGENDA ITEM BRIEFING**

A. Meeting Dates: Council Workshop: Public Hearing:  
Council Discussion Item: 06/08/15 Council Business Item:

B. Issue/Topic: **Title 11 Code Enforcement**

C. Sponsor(s):

1. Cassinelli
- 2.

D. Background (overview of why issue is before council):

1. New language contained within the Critical Areas Ordinance contains enforcement provisions for civil violations.

E. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details):

1. In 2006, Washington law was changed to de-criminalize most violations of city ordinances, and instead establish a civil infraction process. At that time the city revised its code in Title 1 to cite civil infractions into court pursuant to RCW chapter 7.80. That remains an appropriate remedy for someone who litters, or lets their dog run at large, for example, and those code violations refer to the civil infraction citation process in Title 1.

A citation into court is not as effective for violations of zoning and critical areas codes, as the main goal there is obtaining compliance, and there may be complications from the violator's perspective, and neighbors with competing views of the matter. The same enforcement problems can arise with nuisance violations as well. An elderly property owner may allow junk and garbage to accumulate and attract vermin, which gradually reaches a point of being a health concern for the City. Issuing a citation to the owner to appear in court and pay a fine will probably not have any effect on improving the condition of the property.

RCW 7.80.010(5) allows a municipality to adopt an alternative process to a court citation for code enforcement, and many jurisdictions have adopted such a process. Most involve the use of a hearings officer. A hearings officer is often better suited to decisions regarding land use or nuisances because the issues are often complex and involve entire neighborhoods. A hearings officer is experienced, neutral, and can write clear findings that protect the City from liability and give a violator clear direction. The hearings officer can also structure the solution to fit the situation as opposed to simply imposing a fine.

The proposed ordinance basically mirrors that of the City of Long Beach, which will simplify matters if Ilwaco uses the same hearings officer. I would expect there would be, at most, one or two hearings a year. This ordinance does not preclude the use of any alternative remedy (such as issuing a citation to court or filing for an injunction). The staff enforcing the ordinance will be the mayor or his designated alternative, including but not limited to the treasurer, fire chief, police chief, building official, or planner.

This ordinance provides three alternatives for enforcement in Chapter 3: 1) A formal agreement of voluntary compliance; 2) A Notice of Violation with a requirement to abate the violation or pay the cost of City abatement; 3) A Notice of Violation requiring abatement (or payment of costs) and imposing civil penalties. Civil penalties can reach a total of \$1,000, in addition to costs of abatement.

A violator may appeal the Notice of Abatement, pursuant to the provisions of Chapter 4, and a hearings officer will consider the matter. The process for abatement, if the City is forced perform the abatement, is clearly set out in Chapter 5. If the City is forced to abate a nuisance, then on completion it sends a demand for reimbursement, and at that time the violator can request an (additional) hearing on the amount of the costs. Once costs are established, a lien can be filed against the property.

This ordinance give the City the ability, through a clearly defined process, to abate a hazardous or unhealthy situation. It also has defined procedures for collecting the costs of such an abatement.

F. Impacts:

1. Fiscal:
2. Legal: Reviewed by Heather Reynolds
3. Personnel:
4. Service/Delivery:

G. Planning Commission:  Recommended  N/A  Public Hearing on

H. Staff Comments:

I. Time Constraints/Due Dates:

J. Proposed Motion: **I move to enact Ordinance XXX as Title 11 – Code Enforcement of the Ilwaco Municipal Code.**

**CITY OF ILWACO  
ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, ADOPTING TITLE 11,  
CODE ENFORCEMENT**

**WHEREAS**, the City of Ilwaco seeks to protect and promote the public health, safety and welfare of the community by adopting and implementing a workable and efficient code enforcement system; and

**WHEREAS**, the City desires to formally adopt a general penalty chapter of the Ilwaco Municipal Code, and specifically a more detailed procedure for issuing notices of civil infractions in accordance with Chapter 7.80.010(5) of the Revised Code of Washington; and

**WHEREAS**, the City desires to utilize a public nuisance regulatory framework as an additional Code enforcement mechanism, and

**WHEREAS**, the City of Ilwaco also recognizes that Notice and Hearing procedures are necessary for appeals and the protection of civil rights and wishes to establish those procedures.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO,  
WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** A new Title 11 of the Ilwaco Municipal Code will be named here as the City of Ilwaco Code Enforcement. Title 11 will read as follows:

**Title 11 Code Enforcement**

Chapter 1 General Provisions

1) Title

- a) This title shall be known as the *ENFORCEMENT PROCEDURES ORDINANCE OF THE CITY OF ILWACO*, referred to hereinafter as "this title".

2) Application

- a) The provisions of this title shall apply to the enforcement of Section 8.04 (Nuisances Generally), Section 8.08 (Junk) and Section 8.12 (Junk Vehicles) of Title 8, Health and Safety, and the entirety of Title 14, Developer Standards, and Title 15, Unified Development Code. The provisions of this title are in addition to such other remedies as are provided by Washington State statute and this code.

3) Purpose and Authority

- a) The purpose of this title is to establish an effective and efficient system to enforce regulations of the City of Ilwaco; to provide an opportunity to correct alleged violations of such regulations; to establish monetary penalties for violations as authorized by Revised Code Of Washington 35A.11.020; to provide for an appeal process on an alleged violation; and to establish a standard procedure to be used by the city to abate unsafe or unlawful conditions.

4) Conflicts

Ordinance XXX

Page 1 of 12

- a) In the event of a conflict between this title and any other provision of this code or city ordinances providing for a civil penalty, this title shall control.
- 5) Meaning of Terms
  - a) For the purposes of this code, whenever the terms "civil infraction" and "civil penalty" are used in any code, ordinance, or regulation of the city, those terms shall be deemed to have the same meanings as the terms "civil violation" and "monetary penalty", respectively, as used herein.
- 6) Severability
  - a) If any one or more sections, subsections, or sentences of this title are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this title and the same shall remain in full force and effect.
- 7) Not Exclusive
  - a) The provisions of this title are not exclusive, and may be used in addition to other enforcement provisions authorized by this code, except as precluded by law.

Chapter 2 Definitions

1) Terms Defined:

Any term not herein defined shall have its customary or commonly accepted meaning.

**ABATE:** To remedy a condition which constitutes a civil violation or an unsafe condition by such means, in such a manner, and to such an extent as the city official determines is necessary in the interest of the general health, safety, and welfare of the community.

**ACT:** Do or perform something; anything done, being done, or to be done; performance; deed.

**CERTIFICATE OF COMPLAINT:** A document filed with the Pacific County auditor, stating that a property has been determined to be in violation of a relevant title of this code.

**CIVIL INFRACTION:** A noncriminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil violation".

**CIVIL PENALTY:** A financial penalty or fine imposed as restitution for violation(s) of a relevant city code. Also termed "monetary penalty".

**CIVIL VIOLATION:** A noncriminal violation for which a monetary penalty ("civil penalty") may be imposed as specified in this title. Each day or portion of a day during which a violation occurs is a separate violation. Also termed "civil infraction".

**DEVELOPMENT:** The erection, alteration, enlargement, construction, relocation, demolition, maintenance, or use of any structure; or the division, alteration, or use of land above, at, or below ground or water level; or any change in the use of land, a building, or a structure that requires a permit; and all acts authorized by a city permit or regulation.

**EMERGENCY:** A situation where a city official determines that immediate action is required

to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed "unsafe condition".

MONETARY PENALTY: A financial penalty or fine imposed as restitution for violation(s) of a relevant city code. Also termed "civil penalty".

OMISSION: The failure to act.

OWNER: Any person, including any natural person or entity having legal interest in real estate as indicated in the records of the Pacific County tax assessor, or who establishes his or her ownership interest therein.

PERSON: Any individual or any entity, whether public or private.

PERSON RESPONSIBLE: Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed "responsible party".

PUBLIC OFFICIAL: For purposes of this chapter, the mayor or any designated alternates empowered by ordinance or by the mayor to enforce a City of Ilwaco ordinance or regulation, including, but not limited to the following City of Ilwaco representatives: treasurer, fire chief, police chief, building official, or planner.

REGULATION: Means and includes the following as now or hereafter amended:

- a) Section 8.04 (Nuisances Generally), Section 8.08 (Junk) and Section 8.12 (Junk Vehicles) of Title 8, Health and Safety, and the entirety of Title 14, Developer Standards, and Title 15, Unified Development Code.
- b) The terms and conditions of any permit or approval issued by the city, or any concomitant agreement with the city pursuant to any title identified in subsection a) of this definition.

RESPONSIBLE PARTY: Any person required by the applicable regulation to comply therewith, normally the owner(s) of the property where a civil violation may occur, is occurring, or did occur. Also termed "person responsible".

UNSAFE CONDITION: A situation where a city official determines that immediate action is required to prevent or eliminate threat to the health, safety, or welfare of persons or property or to the environment. Also termed "emergency".

VIOLATION: An act or omission contrary to a City of Ilwaco regulation. Also, a condition resulting from such act or omission.

### Chapter 3 Methods of Enforcement

#### 1) Enforcement Method 1; Voluntary Compliance

- a) Applicability: When the public official determines that purposes of an ordinance will be best served through a voluntary compliance agreement between the city and the person responsible for a violation of a regulation, the city may enter into such an agreement.

- b) Requesting Voluntary Compliance: The public official may, but is not required to, pursue a reasonable attempt to secure voluntary correction by contacting the person responsible for the violation, explaining the violation, and requesting correction.
  - c) Voluntary Compliance Agreement: The voluntary compliance agreement is a contract between the city and the person responsible for the violation. In this contract the person responsible agrees to abate the violation within a specified time and according to specified terms. The voluntary compliance agreement shall include the following:
    - i) Name and address of the person(s) responsible for the violation;
    - ii) Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring
    - iii) Description of the violation(s) and a reference to the provision(s) of this code, ordinance, or regulation that has been violated;
    - iv) Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, and the date(s) and time(s) by which corrective action(s) must be completed;
    - v) Statement that if any term of the voluntary compliance agreement is not met, the person responsible for the violation agrees the City of Ilwaco may abate the violation and recover its costs and expenses and assess the person responsible a monetary penalty pursuant to this title; and
    - vi) Identification of the department investigating the case, name of the case manager, and contact information.
  - d) Time Extension: An extension of the time limit for correction or a modification of the required corrective action(s) may be granted by the public official if the official determines the person responsible for the violation has shown due diligence and/or substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the voluntary compliance agreement unattainable.
  - e) Abatement by the City: The city may abate the violation in accordance with Chapter 5 of this title if any term of the voluntary compliance agreement is not met.
  - f) Assessment Of Penalties And Costs: If any term of the voluntary compliance agreement is not met, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed as stated in the agreement and thereafter in accordance with subsections 3)d) through 3)i) of this chapter, plus any actual costs and expenses of abatement incurred by the city.
- 2) Enforcement Method 2; Notice of Violation and Abatement
- a) Issuance: When a public official has a reasonable belief that a violation has occurred or is occurring, the public official may issue a notice of violation and abatement. This notice shall clearly describe the code violation(s), required corrective action(s) to abate the violation, schedule of performance, and alternative actions available to the responsible party and the city.
  - b) Contents: The notice of violation and abatement shall contain the following:
    - i) Name and address of the person responsible for the violation;
    - ii) Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
    - iii) Description of the violation(s) and a reference to the provision(s) of this code, ordinance, or regulation that has been violated;

- iv) Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;
  - v) Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the notice of violation and abatement, after which the city may abate the public nuisance in accordance with the provisions of this title; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required corrective action(s), an alternative reasonable, specific time may be set by the public official;
  - vi) Statement that the responsible party to whom a notice of violation and abatement is directed may request an appeal proceeding by the Ilwaco hearing examiner by means of a notice of appeal pursuant to Chapter 4 of this title. Such notice must be in writing and must be received by the city clerk no later than fourteen (14) calendar days after the notice of violation and abatement has been issued;
  - vii) Statement that if the responsible party to whom the notice of violation and abatement is issued fails to submit a notice of appeal within fourteen (14) calendar days of issuance or fails to voluntarily abate the nuisance within the time specified in the notice of violation and abatement, the city may abate the nuisance;
  - viii) Statement that all actual costs and expenses of abatement incurred by the city may be assessed against the owner of the abated property named in the notice of violation and abatement and, further, that failure to pay said costs may result in a lien against the property; and
  - ix) Identification of the department investigating the case, name of the case manager, and contact information.
- c) Service: The notice of violation and abatement must be served upon the person responsible for the violation and, if the owner of the relevant property is not the person responsible for the violation, then also upon the owner. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made, and, if service was made by posting, the facts showing that due diligence was used in attempting to serve the person personally or by mail. Service shall occur using one of the following methods:
- i) By mailing, via both regular first class mail and certified mail, to the address of the property owner as indicated in the records of the Pacific County tax assessor, and to the address of the person responsible at their last known address; or
  - ii) By personal service; or
  - iii) If the person to whom it is directed cannot, after due diligence, be personally served within Pacific County and if an address for mailed service cannot, after due diligence, be ascertained, then notice shall be served by posting a copy of the notice of violation and abatement in a prominent location on the affected premises in a conspicuous manner that is reasonably likely to be discovered.
- d) Extension: No extension of the time frame for corrective action specified in the notice of violation and abatement or a modification of the required corrective action(s) may be granted, except by order of the public official. Any extension or modification should be granted only if the person responsible for the violation has shown due diligence and/or

substantial progress in correcting the violation but unforeseen circumstances render correction under the original terms of the notice unattainable.

- e) Abatement by City: The city may abate the violation and collect costs and expenses in accordance with Chapter 5 of this title if required corrective action is not completed as specified in the notice of violation and abatement.
  - f) Monetary Penalties: If the required corrective action is not completed by the responsible party as specified in the notice of violation and abatement and the city does not yet desire to use public resources to abate the property, the person responsible for the violation shall be assessed a monetary penalty commencing on the date set for correction to be completed and thereafter in accordance with subsections 3)d) through 3)i) of this chapter, plus any actual costs and expenses of abatement incurred by the city.
- 3) Enforcement Method 3; Notice of Violation, Civil Penalty, and Abatement
- a) Imposition of Monetary Penalties: Any person who violates any of the provisions of the code references listed in Chapter 1, subsection 2) of this title, at the discretion of the public official, may be assessed monetary (civil) penalties before the city initiates the abatement process referenced in this title. If the public official determines this alternative process is more likely to result in compliance, the public official may send a notice of violation, followed by imposition of civil penalties and abatement if appropriate.
  - b) Contents: The notice of violation shall contain the following:
    - i) Name and address of the person responsible for the violation;
    - ii) Street address or description sufficient for identification of the building, structure, premises, or land upon or within which the violation has occurred or is occurring;
    - iii) Description of the violation(s) and a reference to the provision(s) of this code, ordinance, or regulation that has been violated;
    - iv) Description of the necessary corrective action(s) required to abate the public nuisance or unsafe condition, which may include corrections, repairs, demolition, removal, or any other appropriate action;
    - v) Statement that required corrective action(s) must be taken within thirty (30) calendar days from the date of the notice of violation, after which the city may abate the public nuisance in accordance with the provisions of this title; except that if the public official determines that a longer time than thirty (30) days is necessary to complete the required action, an alternative reasonable, specific time may be set by the public official;
    - vi) Statement that abatement procedures, as described in this chapter, may be implemented if civil penalties reach more than one thousand dollars (\$1,000.00);
    - vii) Statement that the responsible party to whom a notice of violation is directed may request an appeal proceeding by the Ilwaco hearing examiner by means of a notice of appeal pursuant to Chapter 4 of this title. Such notice must be in writing and must be received by the city clerk no later than fourteen (14) calendar days after the notice of violation has been issued;
    - viii) Statement that all actual costs and expenses of abatement incurred by the city may be assessed against the owner of the abated property named in the notice of violation and, further, that failure to pay said costs may result in a lien against the property; and
    - ix) Identification of the department investigating the case, name of the case manager, and contact information.

- c) Service: The notice of violation must be served pursuant to the procedures described in subsection 2) c) of this chapter.
- d) Civil Penalty: At the end of the time frame specified in the notice of violation, the property or building will be re-inspected to see if the condition has been completely abated. If the condition has been completely abated, the case will be closed. If the condition has not been completely abated, civil (monetary) penalties will be assessed, as provided in this section, and a notice of civil penalty will be issued to the responsible party and the property owner.
- e) Service: The notice of civil penalty shall be served pursuant to the procedures described in subsection 2) c) of this chapter.
- f) Contents: The notice of civil penalty shall contain the following:
  - i) Address of the site;
  - ii) Specified time frame for correcting the violation or submitting an acceptable work schedule;
  - iii) Statement that civil penalties have been imposed, setting forth the date such monetary penalties began or will begin, usually the first day of service;
  - iv) Statement that civil penalties will continue to accumulate in the amounts specified in this chapter until the nuisance or hazard condition is corrected;
  - v) Abatement procedure(s) that may be implemented by the city if civil penalties in excess of one thousand dollars (\$1,000.00) are assessed in trying to correct the condition; and
  - vi) Identification of the department investigating the case, name of the case manager, and contact information.
- g) Maximum Monetary Penalty: The maximum monetary (civil) penalty for each separate violation per day or portion thereof shall be as follows:
  - i) First day of each violation (the first day is the date of service): One hundred dollars (\$100.00);
  - ii) Second day of each violation: Two hundred dollars (\$200.00);
  - iii) Third day of each violation: Three hundred dollars (\$300.00);
  - iv) Fourth day of each violation: Four hundred dollars (\$400.00);
  - v) Each additional day of each violation beyond four (4) days: Five hundred dollars (\$500.00) per day.
- h) Continuance of Penalties; Certificate of Complaint: Civil penalties will continue to accumulate until the condition is completely abated, and, if the total assessed penalty exceeds one thousand dollars (\$1,000.00), the public official may decide to initiate an abatement proceeding, as provided in this title. At such time that the assessed civil penalty exceeds one thousand dollars (\$1,000.00), a certificate of complaint may be filed with the Pacific County auditor to be attached to the title of the property. A copy of the certificate of complaint shall be sent to the property owner and, if it is determined that there are other parties of interest, then to those individuals as well.
- i) Separate Violations: Each day that a property is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter.

#### Chapter 4 Appeal Process with Hearing Examiner

##### 1) Right To Appeal:

- a) A person to whom the city has issued a notice of violation and abatement pursuant to Chapter 3 subsection 2) of this title or a notice of violation pursuant to Chapter 3 subsection 3) of this title, or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a hearing examiner by filing a notice of appeal with the city clerk. Such notice of appeal must be in writing and must be received by the city clerk no later than fourteen (14) calendar days after the said notice is issued.
  - b) A person to whom a notice of civil penalty has been issued pursuant to Chapter 3, subsection 2) f) or Chapter 3, subsections 3)d) through 3)i) of this title, or any other person with a legal or equitable interest in the property that is the subject of such a notice, may request an appeal proceeding before a hearing examiner by filing a request with the city clerk by means of a notice of appeal. Such notice must be in writing and must be received by the city clerk no later than ten (10) calendar days after the said civil penalty is issued.
- 2) Contents: Each notice of appeal shall contain the name, address, and telephone number of the person requesting the appeal and the name, address, and telephone number of any person who will be present to represent him or her at the appeal proceeding.
  - 3) Basis for Appeal: Each notice of appeal shall set out the basis or bases for the appeal.
    - a) An appeal regarding a notice of violation and abatement issued pursuant to Chapter 3, subsection 2) of this title or a notice of violation pursuant to Chapter 3, subsection 3) of this title may challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.
    - b) Because the owner or the person responsible for a violation has an opportunity to appeal the notice of violation and abatement or the notice of violation pursuant to Chapter 3, subsection 2)b)vi) or Chapter 3, subsection 3)b)vii) of this title, respectively, before any civil penalties are imposed, a hearing regarding civil penalties shall not provide another opportunity to challenge the legality or validity of the underlying violation, the required corrective action(s), or the required schedule for abatement.
  - 4) Notice Of Appeal Proceeding: If a notice of appeal is received by the city within fourteen (14) calendar days the public official shall mail a notice of appeal proceeding, giving the time, location, and date of the appeal proceeding, by regular first class mail to the person(s) to whom the notice of violation and abatement, notice of violation, or notice of civil penalty was directed.
  - 5) Scheduling Of Proceeding: If an appeal is filed timely and completely, the hearing examiner will conduct the appeal proceeding required by this chapter no more than fourteen (14) calendar days after the public official issues the notice of appeal proceeding, unless the hearing examiner or public official finds good cause to continue the matter to another date.
  - 6) Appeal Proceeding: The public official, as well as the person to whom the relevant notice was directed, may participate as parties in the proceeding and may be represented by counsel, and each party may call witnesses. The city shall have the burden of proof to establish, by a preponderance of the evidence, that a violation of the code references listed in Chapter 1, subsection 2) of this title has occurred and that the required corrective action(s) and schedule for abatement are reasonable, or that the civil penalty was assessed for noncompliance with this chapter and the regulations of this code.
  - 7) Hearing Examiner Determination: The hearing examiner shall determine whether the city has established by a preponderance of the evidence that a violation of the code other regulations

of the city has occurred and the required corrective action or civil penalty is reasonable. The hearing examiner shall affirm, modify, or vacate the public official's decisions regarding the alleged violation(s), the required corrective action(s), and/or the civil penalty with or without written conditions.

- 8) Final Order: Within ten (10) calendar days of the close of the appeal proceeding, the hearing examiner shall issue a written final order that contains the following information:
  - a) The decision regarding the alleged violation, including findings of facts and conclusions based thereon;
  - b) The required corrective action(s), if any,
  - c) The date by which the required corrective action(s) must be completed;
  - d) The date after which the city may proceed with abatement, as outlined in Chapter 5 of this title, if the required corrective action(s) is not completed;
  - e) A statement that the civil penalty is affirmed, reduced, or waived, if applicable;
  - f) A statement of any appeal remedies;
  - g) A notice that if the city proceeds with abatement, a lien for the actual costs of said abatement may be assessed against the property if the costs of abatement are not paid in accordance with the provisions of this title.
- 9) Failure To Appear: If the person to whom the relevant notice was directed fails to appear or submit something in writing at the scheduled hearing, the hearing examiner will enter a written final order finding the violation(s) has occurred or the civil penalty was reasonable and finding that abatement may proceed.
- 10) Service Of Final Order: The final order shall be served on the person by one of the methods stated Chapter 3 subsection 2) c) of this title.
- 11) Appeal of Final Order: A final order of the hearing examiner may be appealed to a court of competent jurisdiction no more than twenty one (21) calendar days after its issuance.

## Chapter 5 Abatement

### 1) Abatement Process

- a) Access: Using any lawful means, the city may enter upon the subject property or premises and may remove or correct the condition that is subject to abatement. If the owner of the premises does not consent to entry, the city may seek such judicial process as it deems necessary to effect the removal or correction of such condition.
- b) Terms Of Abatement: Property or premises are subject to abatement as provided in this chapter, including where an emergency exists, where the terms of a voluntary compliance agreement have not been met, where required corrective action has not been timely completed after a notice of violation and abatement has been issued, where a notice of violation and a notice of civil penalty have been issued but the property or premises is still in violation, or where summary abatement, as described in subsection c) of this section, is necessary.
- c) Summary Abatement: Whenever any violation of a regulation causes an emergency where the continued existence of a condition constitutes an immediate or emergent threat to the public health, safety, or welfare or to the environment, the city may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement.

### 2) Recovery of Costs and Expenses

- a) Actual costs, including incidental expenses, of correcting the violation shall be billed to the person responsible for the violation or the property owner. These costs shall become due and payable to the City of Ilwaco no later than thirty (30) calendar days from the date of the invoice. The term "incidental expenses" includes, but is not limited to, personnel costs, both direct and indirect; attorney fees; costs incurred in documenting the violation; demolition, hauling, storage, and disposal expenses; filing fees; and actual expenses and costs of the city in preparing notices, specifications, and contracts, and in accomplishing and/or contracting and inspecting the work; the costs of any required printing or mailing; and any and all costs of collection.
  - b) If the person responsible for the costs of abatement fails to remit payment in a timely manner, the city may file a lien against the real property for the cost of any abatement proceedings under this chapter, except that no lien shall attach to the real property if the owner was found not responsible in the final order issued by the hearing examiner. A notice of the city's lien specifying the expenses incurred in abating the nuisance and giving the legal description of the premises sought to be charged shall be filed with the Pacific County auditor within ninety (90) days from the date of the abatement. Such lien may at any time thereafter be collected in the manner provided for foreclosure of mechanic's liens under the laws of the state of Washington.
  - c) In addition to a lien, the debt shall be collectible in the same manner as any other civil debt owing to the city, and the city may pursue collection of the costs of any abatement proceedings under this chapter by any other lawful means, including, but not limited to, referral to a collection agency.
- 3) Hearing Regarding Cost of Abatement
- a) Any person sent an invoice for the costs due for abatement of a nuisance may request a hearing to determine if the costs should be assessed, reduced, or waived.
  - b) A request for a hearing shall be made in writing and filed with the city clerk no later than fourteen (14) calendar days from the date of the invoice.
  - c) Each request for hearing shall contain the name, address and telephone number of the person requesting the hearing and the name, address and telephone number of any person who will be present to represent him or her.
  - d) Each request for hearing shall set out the basis for the request.
    - i) Because the property owner or other person responsible for the violation had an opportunity to appeal the notice of violation and abatement, notice of violation, and/or notice of civil penalty pursuant to Chapter 4 of this title, before any abatement actions were taken, the hearing regarding the costs of abatement shall not provide another opportunity to challenge the legality or validity of the underlying violation, required corrective action(s), required schedule for abatement, or civil penalty.
  - e) Failure to request a hearing within fourteen (14) calendar days from the date of the invoice shall be a waiver of the right to contest the validity of the costs incurred in abatement of the violation.
  - f) If a hearing is requested, the hearing examiner will conduct the hearing no more than thirty (30) calendar days after the public official issues the notice of hearing, unless the hearing examiner or public official finds good cause to continue the matter to another date.

- g) If a hearing is requested, the public official shall mail a notice giving the time, location, and date of the hearing, by regular first class mail, to the person or persons to whom the invoice for the costs of abatement was directed.
  - h) If a hearing is conducted, the public official, as well as the person to whom the invoice for abatement costs was directed, may participate as parties in the hearing, may be represented by counsel, and may call witnesses. The city shall have the burden of proof to establish, by a preponderance of the evidence, that the abatement costs are reasonable.
  - i) The hearing examiner shall issue a written order and determine whether the costs of abatement were reasonable and necessary. The hearing examiner may uphold the amount billed for the costs of abatement, reduce the amount billed, or waive the costs.
  - j) The order of the hearing examiner is the final administrative decision. Such decision may be appealed in accordance with Chapter 4 subsection 1)k) of this title
- 4) Lien Authorized
- a) Costs Included In Lien: The city shall have a lien for any monetary penalty imposed, the cost of any abatement proceedings under this chapter, and all other related costs, including attorney and expert witness fees, against the real property on which the monetary penalty was imposed or any of the work of abatement was performed. The lien shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and county taxes, with which it shall be on parity.
  - b) Filing of Lien: The public official or city administrator shall file with the county recorder a claim for lien within ninety (90) days from the later of the following dates: the date the monetary penalty is due, the date the work is completed, or the date the nuisance is abated.
  - c) Claim of Lien: The claim of lien must contain sufficient information regarding the relevant notice as determined by the public official or city administrator, a description of the property to be charged with the lien and property owner of record, and the total amount of the lien.
  - d) Amendment of Lien: Any such claim of lien may be amended from time to time to reflect changed conditions.
  - e) Lien Period: No such liens shall bind the affected property for a period longer than five (5) years, without foreclosure or an extension agreed to by the property owner.

**Section 2.** Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 3.** Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.

\_\_\_\_\_  
Mike Cassinelli, Mayor

ATTEST:

\_\_\_\_\_  
Holly Beller, Deputy City Clerk

VOTE	Jensen	Karnofski	Marshall	Chambreau	Ferner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED:  
EFFECTIVE:

**CITY OF ILWACO**  
**CITY COUNCIL AGENDA ITEM BRIEFING**

- A. Meeting Dates: Council Workshop: Public Hearing:  
Council Discussion Item: 06/08/15 Council Business Item:
- B. Issue/Topic: **Ordinance Amending Title 1 – General Provisions**
- C. Sponsor(s):  
1. Cassinelli 2.
- D. Background (overview of why issue is before council):  
1. As a result of incorporating Title 11 – Code Enforcement, there needs to be an amendment to other sections which reference the old IMC language.
- E. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details):  
1. This ordinance incorporates the changes of remedies to allow for enforcement through the new Title 11.
- F. Impacts:  
1. Fiscal:  
2. Legal: Reviewed by Heather Reynolds  
3. Personnel:  
4. Service/Delivery:
- G. Planning Commission:  Recommended  N/A  Public Hearing on
- H. Staff Comments:
- I. Time Constraints/Due Dates:
- J. Proposed Motion: **I move to enact Ordinance XXX amending the General Provisions of Title 1.**

**CITY OF ILWACO  
ORDINANCE NO. XXX**

**AN ORDINANCE OF THE CITY OF ILWACO, WASHINGTON, AMENDING THE ILWACO MUNICIPAL CODE IN ORDER TO UNIFORMLY ENFORCE THE CODE REQUIREMENTS WITH REGARDS TO VIOLATION AND PENALTIES AND TO UPDATE POLICY.**

**WHEREAS**, the Council of the City of Ilwaco wishes to make the Ilwaco Municipal Code uniformly consistent for enforcement; and

**WHEREAS**, certain sections of the Ilwaco Municipal Code require updating;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** The Ilwaco Municipal Code, is amended to read as follows:

**Chapter 1.20**

**GENERAL PENALTY**

Sections:

- 1.20.010 General penalty.
- 1.20.020 Procedural rules for infractions.
- 1.20.030 Procedural rules for criminal violations.
- 1.20.010 General penalty.

A. Any person violating any of the provisions or failing to comply with any of the mandatory requirements of the ordinances of the city shall be guilty of an infraction unless the violation is made a misdemeanor by ordinance.

B. Except in cases where a different punishment is prescribed by any ordinance of the city, any person convicted of a misdemeanor for violation of an ordinance of the city is punishable by a fine of not more than five thousand dollars (\$5,000.00), or by imprisonment not to exceed one year, or by both such fine and imprisonment.

C. Any person convicted of an infraction for violation of an ordinance of the city is punishable by a penalty of not more than five thousand dollars (\$5,000.00).

D. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provisions of the ordinances of the city is committed, continued or permitted by any such person, and such person shall be punishable accordingly. (Ord. 619 § 1, 1998)

1.20.020 Procedural rules for infractions.

All infractions **which are not subject to Enforcement Procedures under Title 11, or for which the City elects to enforce pursuant to RCW Chapter 7.80** will be prosecuted in accordance with the Infraction Rules for Courts of Limited Jurisdiction. Wash. IRLJ 1.1 (2005).

Ordinance XXX

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(Ord. 718 (part), 2006)

1.20.030 Procedural rules for criminal violations.

All criminal violations will be prosecuted in accordance with the Criminal Rules for Courts of Limited Jurisdiction. Wash. CrRLJ 1.1 (2005). (Ord. 718 (part), 2006)

**1.20.040 Acts Enforceable Under Different Sections.**

**In all cases where the same offense is made punishable or enforceable, or is created by, different sections of the code, the public official responsible for enforcement or prosecution may elect under which section to proceed, but not more than one recovery shall be had against the same person for the same offense; provided, that the revocation of a license or permit, or abatement of a nuisance or unsafe condition, shall not be considered a recovery or penalty so as to bar any other penalty being enforced.**

**Section 2.** Severability. If any section, subsection, paragraph, sentence, clause or phrase of this ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this ordinance.

**Section 3.** Referendum and Effective Date. This Ordinance, being an exercise of a power specifically delegated to the city legislative body, is not subject to referendum, and shall take effect and is in full force five (5) days after its passage, approval and publication of an approved summary of the title as provided by law.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Mike Cassinelli, Mayor

ATTEST:

\_\_\_\_\_  
Holly Beller, Deputy City Clerk

VOTE	Jensen	Karnofski	Marshall	Chambreau	Fornier	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

PUBLISHED: Month date, Year

EFFECTIVE: Month date, Year

Ordinance XXX

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**CITY OF ILWACO  
CITY COUNCIL AGENDA ITEM BRIEFING**

A. Meeting Dates: Council Workshop: Public Hearing:  
Council Discussion Item: 06/08/15 Council Business Item:

B. Issue/Topic: **Promotion for Deputy City Clerk**

C. Sponsor(s):

1. Mike Cassinelli
- 2.

D. Background (overview of why issue is before council):

1. Holly was hired at the end of December to fill the Deputy City Clerk position. Over the past 6 months she has demonstrated that she can adequately accomplish the duties of the deputy city clerk. She has continued to improve on the billing process, preparing council packets, building/planning permits and writing ordinances/resolutions. She has proven that she can work independently, can oversee a project, and has taken responsibility for all clerk tasks.

E. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details)

1. Based on her abilities to quickly step into the new position and master the assigned tasks, the mayor is recommending that Holly be promoted to a grade 9 step 1.

F. Impacts:

1. Fiscal: The increase was incorporated into the 2015 budget.
2. Legal:
3. Personnel:
4. Service/Delivery:

G. Time Constraints/Due Dates:

H. Proposed Motion: **I move to approve the mayor's recommended promotion of Holly Beller to City Clerk Grade 9 Step 1 on the 2015 pay scale effective July 1, 2015.**

**Exhibit "A"**  
**City of Ilwaco**  
**Position Grades and Brief Descriptions**

<b>Administrative Position</b>	<b>Grade</b>	<b>Level</b>
<b>Non-Exempt Positions</b>		
Office Assistant 3	3	Office assistant
Office Assistant 4	4	Office assistant/billing clerk
Office Assistant 5	5	Senior office assistant/billing clerk
Deputy City Clerk 5	5	Deputy city clerk
Deputy City Clerk 6	6	Deputy city clerk
Deputy City Clerk 7	7	Deputy city clerk
Deputy City Clerk 8	8	Senior deputy city clerk
<b>Exempt Positions</b>		
City Clerk 8	8	City clerk
City Clerk 9	9	City clerk
City Clerk 10	10	City clerk
City Clerk 11	11	Senior city clerk
Treasurer 8	8	City treasurer
Treasurer 9	9	City treasurer
Treasurer 10	10	City treasurer
Treasurer 11	11	Senior city treasurer
Treasurer 12	12	Senior city treasurer

**Office Assistant 3:** Office assistant. Entry-level position. Receives work direction, guidance and supervision from senior office staff members. Develops office skills and experience with guidance from others. Assists with utility billing.

**Office Assistant 4:** Office assistant/billing clerk. Performs many tasks independently. Proficient with word processing and spreadsheets. Expected to handle routine city business on the telephone and with visitors. Able to do most utility billing tasks.

**Office Assistant 5:** Senior office assistant/billing clerk. Performs most tasks independently without guidance or supervision. Determines own priorities. Proficient with word processing, spreadsheet and databases. Configures new computers for printing, simple networking and email and application installation. Does utility billing independently. Supervises others, as necessary.

**Deputy City Clerk 5:** Deputy City clerk. Entry-level position. Performs or is capable of performing all duties equivalent to Office Assistant 5. Receives work direction, guidance and supervision from the city clerk, city treasurer or mayor in matters involving the city clerk's duties.

**Deputy City Clerk 6:** Deputy City clerk. Performs some city clerk tasks independently, with

minimum guidance or supervision, as assigned by the city clerk, city treasurer or mayor. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications.

**Deputy City Clerk 7:** Deputy City clerk. Performs many city clerk tasks independently, with minimum guidance or supervision, as assigned by the city clerk, city treasurer or mayor. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications.

**Deputy City Clerk 8:** Senior deputy city clerk. Performs most city clerk tasks independently without guidance or supervision, as assigned by the city clerk, city treasurer or mayor. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications.

**City Clerk 8:** City clerk. Entry-level position. An administrative position with primary duties that includes exercising discretion and independent judgment with respect to matters of significance. Performs some city clerk tasks independently with guidance and supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. *Note: A change in position from Assistant Clerk 7 to City Clerk 7 would normally be accompanied by a two-step, in-grade increase and a change from non-exempt status to exempt status.*

**City Clerk 9:** City clerk. An administrative position with primary duties that includes exercising discretion and independent judgment with respect to matters of significance. Performs most city clerk tasks independently with minimum guidance or supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications.

**City Clerk 10:** City clerk. An administrative position with primary duties that includes exercising discretion and independent judgment with respect to matters of significance. Performs all duties of the city clerk without guidance or supervision. Drafts simple legislation that can be enacted into law without undue revision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Represents the city in outside meetings, as appropriate.

**City Clerk 11:** Senior city clerk. An administrative position with primary duties that includes exercising discretion and independent judgment with respect to matters of significance. Performs all duties of the city clerk without guidance or supervision. Drafts complex legislation that can be enacted into law without undue revision. Briefs the mayor and City Council on the effect of proposed legislation. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules.

Writes grant applications. Represents the city in outside meetings, as appropriate. Acts as senior advisor to the mayor and City Council in city matters.

**Treasurer 8:** City treasurer. Entry-level position. Performs some treasurer tasks independently with guidance and supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Trained in accounting and develops experience with accounting software and city transactions and budgeting.

**Treasurer 9:** City treasurer. Performs most treasurer tasks independently with guidance and supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Trained in accounting and develops experience with accounting software and city transactions and budgeting.

**Treasurer 10:** City treasurer. Performs treasurer tasks independently without guidance or supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Has some advanced training in accounting and has experience with accounting software and city transactions and budgeting. Prepares and briefs the city budget to the mayor and City Council, including coordinating with department heads. Performs all the duties of the city clerk, if assigned.

**Treasurer 11:** Senior city treasurer. Performs treasurer tasks independently without guidance or supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Has advanced training in accounting and has experience with accounting software and city transactions and budgeting. Prepares and briefs the city budget to the mayor and City Council, including coordinating with department heads. Represents the city in outside meetings, as appropriate. Acts as senior advisor to the mayor and City Council in city matters. Performs all the duties of the city clerk, if assigned.

**Treasurer 12:** Senior city treasurer. Performs treasurer tasks independently without guidance or supervision. Performs or is capable of performing all duties equivalent to Office Assistant 5. Supervises office staff as necessary, including setting priorities and work schedules. Writes grant applications. Has advanced training in accounting and has experience with accounting software and city transactions and budgeting. Prepares and briefs the city budget to the mayor and City Council, including coordinating with department heads. Represents the city in outside meetings, as appropriate. Acts as senior advisor to the mayor and City Council in city matters. Performs all the duties of the city clerk, if assigned. Experienced and possesses necessary skills for position and/or is highly capable of seeking needed resources.

<b>Field Positions</b>	<b>Grade</b>	
<b>Non-Exempt Positions</b>		
Utility Worker 3	3	Entry level
Utility Worker 4	4	Established (gaining experience)
Utility Worker 5	5	Experienced
Utility Worker 6	6	Experienced (works independently)
Utility Worker 7	7	Lead
Utility Supervisor 8	8	Senior lead
Utility Supervisor 9	9	Senior
Utility Supervisor 10	10	Senior
Utility Supervisor 11	11	Senior
Plant Operator 5	5	Entry level
Plant Operator 6	6	Established (gaining experience)
Plant Operator 7	7	Experienced
Plant Operator 8	8	Experienced (works independently)
Plant Operator 9	9	Senior/lead operator
Plant Operator 10	10	Senior
Plant Operator 11	11	Senior
Mechanic 7	7	Entry level
Mechanic 8	8	Experienced
Mechanic 9	9	Senior
<b>Exempt Positions</b>		
Utility Manager 7	7	Entry level
Utility Manager 8	8	Experienced
Utility Manager 9	9	Experienced
Utility Manager 10	10	Senior
Fire Administrator 7	7	Experienced
Fire Administrator 8	8	Experienced
Fire Administrator 9	9	Experienced
Fire Administrator 10	10	Senior
Fire Chief 8	8	Experienced
Fire Chief 9	9	Experienced
Fire Chief 10	10	Experienced
Fire Chief 11	11	Experienced
Fire Chief 12	12	Senior

**Utility Worker3:** Entry-level utility worker. Receives direction and guidance from others.

**Utility Worker 4:** Established utility worker gaining experience. Receives direction and guidance from others.

**Utility Worker 5:** Experienced utility worker. Works with some supervision and guidance.

**Utility Worker 6:** Experienced utility worker. Works independently.

**Utility Worker 7:** Lead utility worker/supervisor. Works independently and gives guidance to others. Has responsibility for one utility area (e.g. sewer or water distribution, streets and sidewalks, equipment).

**Utility Supervisor 8:** Utility supervisor. Receives some guidance and supervision from others. Participates in all aspects of utility operations. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Prepares the department budgets with guidance.

**Utility Supervisor 9:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Supervisor 10:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Supervisor 11:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance. Experienced and possesses necessary skills for position and/or is highly capable of seeking needed resources.

**Plant Operator 5:** Entry-level plant operator. Receives direction and guidance from others. Capable of some plant operations and minor repairs without assistance. Communicates plant status to others. Performs other Public Works duties.

**Plant Operator 6:** Established with at least one year of full-time plant operation experience. Receives direction and guidance from others. Capable of most routine plant operations and minor repairs without assistance. Communicates plant status to others verbally, in writing and through

means of computer file transfers. Primary duties are plant operations. Performs other Public Works duties.

**Plant Operator 7:** Experienced plant operator with at least two years of full-time plant operation experience. Receives direction and guidance from others. Capable of most routine plant operation and minor repairs without assistance. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are plant operations. Performs other Public Works duties.

**Plant Operator 8:** Experienced plant operator with at least four years of full-time plant operation experience. Receives some direction and guidance from others. Provides some supervision and guidance to others. Capable of plant operations requiring the exercise of judgment, including making process adjustments and moderate repairs without supervision. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are plant and systems operations.

**Plant Operator 9:** Lead plant operator/plant supervisor with at least five years of full-time plant operation experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are systems operations and supervision.

**Plant Operator 10:** Senior plant operator/plant supervisor with at least five years of full-time plant operation experience combined with demonstrated supervisory experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs at the plant and throughout the entire distribution system without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Sets priorities and assists in preparing/managing the budget. Primary duties are systems operations and supervision.

**Plant Operator 10:** Senior plant operator/plant supervisor with at least eight years of full-time plant operation experience combined with demonstrated supervisory experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs at the plant and throughout the entire distribution system without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Sets priorities and assists in preparing/managing the budget. Primary duties are systems operations and supervision.

**Mechanic 7:** Entry-level mechanic. Capable of maintaining vehicles and equipment with some supervision and guidance.

**Mechanic 8:** Experienced mechanic. Capable of maintaining vehicles, equipment and city infrastructure equipment with minimum supervision and guidance. Sets own priorities. Supervises others, as necessary.

**Mechanic 9:** Senior mechanic. Capable of maintaining vehicles, equipment and city infrastructure equipment without supervision. Sets own work schedules and priorities. Supervises others.

**Utility Manager 7:** Entry-level utility manager. Receives guidance and supervision from others. Participates in some aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Participates in configuration management. Assists in developing the department budget.

**Utility Manager 8:** Experienced utility manager. Receives some guidance and supervision from others. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Prepares the department budgets with guidance.

**Utility Manager 9:** Experienced utility manager/director. Works independently. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Provides management information on status of the city infrastructure and does tradeoff analysis in problem solving and in proposing changes. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Manager 10:** Senior utility manager/director. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the City Engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Provides management information on status of the city infrastructure and does tradeoff analysis in problem solving and in proposing changes. Conceive and effectively executes improvement projects without supervision. Ensures effective configuration management. Prepares the department budget without guidance.

**Fire Administrator 7:** Reports directly to the Fire Chief and participates in the development and maintenance of all emergency management plans, support materials, reports and related documents. Conducts directed research, as well as independent internet-based research on a variety of emergency management and related topics. Develops or compiles documents, correspondence and materials, including all programmatic reports, as well as awards from non-government funding sources. Monitors and maintains federal, state, allied organization, professional and county newsletters, reports and related documents as directed.

**Fire Administrator 8:** Reports directly to the Fire Chief and works with little or no supervision under the Fire Chief's directions and performs the duties of Fire Administrator 7, as required. Obtains and perform duties as an EMT and Firefighter, respiratory testing officer for SCBA face piece and M95 mask fit tests and directs the training or assigns instructors to training classes. The Fire Administrator 8, documents all training and Fire/EMS requirements for compliance with National Fire Incident Reporting System, L&I, NFPA and FEMA standards, including evaluating fire station and fire ground safety standards procedures and enforcement. Fire Administrator 8, also records vehicle, station and equipment inspections, records and files personnel accident reports, create fire department related forms, performs or directs firefighters in station maintenance duties and participates in those duties. The Fire Administrator along with the Fire Chief, councils, evaluates and gives corrective disciplinary actions to department members. In the absence of Chief Fire Officers at an emergency incident performs as the Incident Commander until relieved.

**Fire Administrator 9:** Reports directly to the Fire Chief and performs the duties of Fire Administrator 7 & 8, as required. Attend workshops and training on current ordinances, regulations and building codes, participates in fire safety programs and distribution of fire prevention materials and smoke detectors. Fire Administrator 9, works with other fire jurisdictions on fire and natural disaster training, drill planning and fire standards. The Fire Administrator documents arson fires, fire statistics, create fire maps, publications and presentations.

**Fire Administrator 10:** Reports directly to the Fire Chief and assist the Fire Chief with the inspection of properties to ensure compliance with fire codes, ordinances and laws. Review building plans with the Fire Chief and document needed changes, corrections and violations. Perform the duties of Fire Administrator 7, 8, & 9, as needed, or duties as directed by the Fire Chief.

**Fire Chief 8:** Reports directly to the Mayor, plans, organizes, directs and evaluates the Ilwaco Volunteer Fire Department, which protects lives and property from fire and hazardous incident damage. Provides timely emergency medical services in the City of Ilwaco and other neighboring municipalities, which have contracted for fire protection services. Ensures the department incorporates up-to-date, efficient fire prevention, fire suppression, hazardous incident mitigation and emergency medical technologies into its procedures, equipment and methods. Recruits, performs back ground checks and trains new volunteer firefighters.

**Fire Chief 9:** Reports directly to the Mayor, and the Fire Chief will administer, plan, direct and control all aspects of the Ilwaco Volunteer Fire Department including the administration, fire suppression, fire prevention and rescue activities of the department as authorized by and incompliance with all City Ordinances, State or Federal laws. The Fire Chiefs administrative duties include the direct control of equipment purchasing, department expenditures, the preparation of the budget and the hiring, assigning, or the appointment and termination of

Officers and Volunteer members. The Fire Chief is responsible for Fire Code review, corrective code improvements, the compliance and the approval of building plans. The Fire Chief shall carry out all of the duties included in Fire Chief 8, and additional duties as required.

**Fire Chief 10:** Reports directly to the Mayor, and the Fire Chief will develop a long-range capital plan for apparatus replacement, personnel changes, the need for additional fire stations, the maintenance of all of the fire facilities, the relocation and/or replacement. The Fire Chief will participate in local and regional emergency preparedness drills and the planning process. The Fire Chief shall ensure that adequate mutual aid agreements are in place for major emergency incidents. The Fire Chief shall carry out all of the duties included in Fire Chief 8 and 9, and, any additional duties as required.

**Fire Chief 11** Reports directly to the Mayor and shall carry out all duties included in Fire Chief 8, 9 and 10, and, any additional duties as required. The Fire Chief shall ensure that the Mayor, Council and all Department heads, and staff participate in Natural Disaster preparedness drills, the understanding of the National Incidents Management System (NIMS), including their job requirements, responsibilities and Federal Documentation requirements during a disaster.

**Fire Chief 12** Reports directly to the Mayor and shall carry out all duties included in Fire Chief 8, 9, 10 and 11, and, represents the department at various local and state training seminars, hearings and meetings. Fire Chief 12 is responsible for managing and coordinating and serving as Incident Commander (IC) in the City's Emergency Operation Center (EOC) during Major Events.

**CITY OF ILWACO  
ORDINANCE NO. 834 EXHBIT B**

**2015 PAY TABLE (Effective January 1, 2015)**

2015

City of Ilwaco  
Exempt Employee Annual Salary Scale

Step	1	2	3	4	5	6	7	8	9	10	
Grade	Years to Step	1	1	1	2	2	2	3	3	3	
3		22517	23268	24018	24769	25520	26271	27022	27773	28524	29274
4		25276	26119	26962	27804	28647	29490	30332	31175	32018	32860
5		28280	29223	30166	31109	32053	32996	33939	34882	35825	36769
6		31524	32575	33626	34678	35729	36781	37832	38883	39935	40986
7		35031	36198	37365	38533	39700	40867	42034	43202	44369	45536
8		38795	40088	41381	42674	43967	45260	46553	47846	49139	50431
9		42850	44278	45707	47135	48564	49992	51421	52849	54278	55706
10		47188	48760	50333	51906	53479	55051	56624	58197	59770	61342
11		51907	53635	55362	57078	58807	60512	62237	63965	65692	67420
12		57674	59594	61513	63420	65341	67236	69152	71072	72991	74911

2015

City of Ilwaco  
Non-Exempt/Hourly Employee Hourly Rate of Pay Scale

Step	1	2	3	4	5	6	7	8	9	10	
Grade	Years to Step	1	1	1	2	2	2	3	3	3	
3		10.83	11.19	11.55	11.91	12.27	12.63	12.99	13.35	13.71	14.07
4		12.15	12.56	12.96	13.37	13.77	14.18	14.58	14.99	15.39	15.80
5		13.60	14.05	14.50	14.96	15.41	15.86	16.32	16.77	17.22	17.68
6		15.16	15.66	16.17	16.67	17.18	17.68	18.19	18.69	19.20	19.70
7		16.84	17.40	17.96	18.53	19.09	19.65	20.21	20.77	21.33	21.89
8		18.65	19.27	19.89	20.52	21.14	21.76	22.38	23.00	23.62	24.25
9		20.60	21.29	21.97	22.66	23.35	24.03	24.72	25.41	26.09	26.78
10		22.69	23.44	24.20	24.95	25.71	26.47	27.22	27.98	28.74	29.49
11		24.96	25.79	26.62	27.44	28.27	29.09	29.92	30.75	31.58	32.41
12		27.73	28.66	29.58	30.49	31.41	32.32	33.24	34.17	35.09	36.01

**CITY OF ILWACO  
CITY COUNCIL AGENDA ITEM BRIEFING**

A. Meeting Dates: Council Workshop: Public Hearing:  
Council Discussion Item: 06/08/15 Council Business Item:

B. Issue/Topic: **Promotion for Water Plant Operator**

C. Sponsor(s):

1. Mike Cassinelli
- 2.

D. Background (overview of why issue is before council):

1. Rick was hired at the end of December to fill an open position in the water department, with some shuffling of employees he became the water plant operator. Over the past 6 months he has demonstrated that he can operate the water plant in a more efficient way. He currently has a water 4 certification and at least 25 years of experience in the field. He is an asset to the City of Ilwaco and has proven that can he improve water quality.

E. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details)

1. Rick stepped into the water plant improvements project right as it began, he has diligently worked with the contractor to ensure that everything is up to standard and abides by the contract. While overseeing this project he has also managed to better the water quality and is working on using less chemicals therefore, the mayor is recommending that Rick be promoted to a grade 11 step 4.

F. Impacts:

1. Fiscal: The increase was incorporated into the 2015 budget.
2. Legal:
3. Personnel:
4. Service/Delivery:

G. Time Constraints/Due Dates:

H. Proposed Motion: **I move to approve the mayor's recommended promotion of Rick Gray to Plant Operator Grade 11 Step 4 on the 2015 pay scale effective July 1, 2015.**

<b>Field Positions</b>	<b>Grade</b>	
<b>Non-Exempt Positions</b>		
Utility Worker 3	3	Entry level
Utility Worker 4	4	Established (gaining experience)
Utility Worker 5	5	Experienced
Utility Worker 6	6	Experienced (works independently)
Utility Worker 7	7	Lead
Utility Supervisor 8	8	Senior lead
Utility Supervisor 9	9	Senior
Utility Supervisor 10	10	Senior
Utility Supervisor 11	11	Senior
Plant Operator 5	5	Entry level
Plant Operator 6	6	Established (gaining experience)
Plant Operator 7	7	Experienced
Plant Operator 8	8	Experienced (works independently)
Plant Operator 9	9	Senior/lead operator
Plant Operator 10	10	Senior
Plant Operator 11	11	Senior
Mechanic 7	7	Entry level
Mechanic 8	8	Experienced
Mechanic 9	9	Senior
<b>Exempt Positions</b>		
Utility Manager 7	7	Entry level
Utility Manager 8	8	Experienced
Utility Manager 9	9	Experienced
Utility Manager 10	10	Senior
Fire Administrator 7	7	Experienced
Fire Administrator 8	8	Experienced
Fire Administrator 9	9	Experienced
Fire Administrator 10	10	Senior
Fire Chief 8	8	Experienced
Fire Chief 9	9	Experienced
Fire Chief 10	10	Experienced
Fire Chief 11	11	Experienced
Fire Chief 12	12	Senior

**Utility Worker3:** Entry-level utility worker. Receives direction and guidance from others.

**Utility Worker 4:** Established utility worker gaining experience. Receives direction and guidance from others.

**Utility Worker 5:** Experienced utility worker. Works with some supervision and guidance.

**Utility Worker 6:** Experienced utility worker. Works independently.

**Utility Worker 7:** Lead utility worker/supervisor. Works independently and gives guidance to others. Has responsibility for one utility area (e.g. sewer or water distribution, streets and sidewalks, equipment).

**Utility Supervisor 8:** Utility supervisor. Receives some guidance and supervision from others. Participates in all aspects of utility operations. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Prepares the department budgets with guidance.

**Utility Supervisor 9:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Supervisor 10:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Supervisor 11:** Senior utility supervisor. Works independently and supervises others. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Sets priorities and assigns tasks. Ensures effective configuration management. Prepares the department budgets with some guidance. Experienced and possesses necessary skills for position and/or is highly capable of seeking needed resources.

**Plant Operator 5:** Entry-level plant operator. Receives direction and guidance from others. Capable of some plant operations and minor repairs without assistance. Communicates plant status to others. Performs other Public Works duties.

**Plant Operator 6:** Established with at least one year of full-time plant operation experience. Receives direction and guidance from others. Capable of most routine plant operations and minor repairs without assistance. Communicates plant status to others verbally, in writing and through

means of computer file transfers. Primary duties are plant operations. Performs other Public Works duties.

**Plant Operator 7:** Experienced plant operator with at least two years of full-time plant operation experience. Receives direction and guidance from others. Capable of most routine plant operation and minor repairs without assistance. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are plant operations. Performs other Public Works duties.

**Plant Operator 8:** Experienced plant operator with at least four years of full-time plant operation experience. Receives some direction and guidance from others. Provides some supervision and guidance to others. Capable of plant operations requiring the exercise of judgment, including making process adjustments and moderate repairs without supervision. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are plant and systems operations.

**Plant Operator 9:** Lead plant operator/plant supervisor with at least five years of full-time plant operation experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Primary duties are systems operations and supervision.

**Plant Operator 10:** Senior plant operator/plant supervisor with at least five years of full-time plant operation experience combined with demonstrated supervisory experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs at the plant and throughout the entire distribution system without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Sets priorities and assists in preparing/managing the budget. Primary duties are systems operations and supervision.

**Plant Operator 10:** Senior plant operator/plant supervisor with at least eight years of full-time plant operation experience combined with demonstrated supervisory experience. Works independently and supervises others. Capable of plant operations requiring the exercise of judgment, including making any and all process adjustments and complex repairs at the plant and throughout the entire distribution system without supervision. Submits reports to DOH/DOE. Communicates plant status to others verbally, in writing and through means of computer file transfers. Sets priorities and assists in preparing/managing the budget. Primary duties are systems operations and supervision.

**Mechanic 7:** Entry-level mechanic. Capable of maintaining vehicles and equipment with some supervision and guidance.

**Mechanic 8:** Experienced mechanic. Capable of maintaining vehicles, equipment and city infrastructure equipment with minimum supervision and guidance. Sets own priorities. Supervises others, as necessary.

**Mechanic 9:** Senior mechanic. Capable of maintaining vehicles, equipment and city infrastructure equipment without supervision. Sets own work schedules and priorities. Supervises others.

**Utility Manager 7:** Entry-level utility manager. Receives guidance and supervision from others. Participates in some aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Participates in configuration management. Assists in developing the department budget.

**Utility Manager 8:** Experienced utility manager. Receives some guidance and supervision from others. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Takes a lead role in configuration management. Prepares the department budgets with guidance.

**Utility Manager 9:** Experienced utility manager/director. Works independently. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the city engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Provides management information on status of the city infrastructure and does tradeoff analysis in problem solving and in proposing changes. Ensures effective configuration management. Prepares the department budgets with some guidance.

**Utility Manager 10:** Senior utility manager/director. Participates in all aspects of utility operations and management. Sets work priorities and tasking. Ensures quality and efficiency of operations. Makes continual improvements for efficiency and quality of operations. Works closely with the City Engineer in planning improvements to city infrastructure. Acts as city liaison for construction projects. Provides management information on status of the city infrastructure and does tradeoff analysis in problem solving and in proposing changes. Conceive and effectively executes improvement projects without supervision. Ensures effective configuration management. Prepares the department budget without guidance.

**Fire Administrator 7:** Reports directly to the Fire Chief and participates in the development and maintenance of all emergency management plans, support materials, reports and related documents. Conducts directed research, as well as independent internet-based research on a variety of emergency management and related topics. Develops or compiles documents, correspondence and materials, including all programmatic reports, as well as awards from non-government funding sources. Monitors and maintains federal, state, allied organization, professional and county newsletters, reports and related documents as directed.

**Fire Administrator 8:** Reports directly to the Fire Chief and works with little or no supervision under the Fire Chief's directions and performs the duties of Fire Administrator 7, as required. Obtains and perform duties as an EMT and Firefighter, respiratory testing officer for SCBA face piece and M95 mask fit tests and directs the training or assigns instructors to training classes. The Fire Administrator 8, documents all training and Fire/EMS requirements for compliance with National Fire Incident Reporting System, L&I, NFPA and FEMA standards, including evaluating fire station and fire ground safety standards procedures and enforcement. Fire Administrator 8, also records vehicle, station and equipment inspections, records and files personnel accident reports, create fire department related forms, performs or directs firefighters in station maintenance duties and participates in those duties. The Fire Administrator along with the Fire Chief, councils, evaluates and gives corrective disciplinary actions to department members. In the absence of Chief Fire Officers at an emergency incident performs as the Incident Commander until relieved.

**Fire Administrator 9:** Reports directly to the Fire Chief and performs the duties of Fire Administrator 7 & 8, as required. Attend workshops and training on current ordinances, regulations and building codes, participates in fire safety programs and distribution of fire prevention materials and smoke detectors. Fire Administrator 9, works with other fire jurisdictions on fire and natural disaster training, drill planning and fire standards. The Fire Administrator documents arson fires, fire statistics, create fire maps, publications and presentations.

**Fire Administrator 10:** Reports directly to the Fire Chief and assist the Fire Chief with the inspection of properties to ensure compliance with fire codes, ordinances and laws. Review building plans with the Fire Chief and document needed changes, corrections and violations. Perform the duties of Fire Administrator 7, 8, & 9, as needed, or duties as directed by the Fire Chief.

**Fire Chief 8:** Reports directly to the Mayor, plans, organizes, directs and evaluates the Ilwaco Volunteer Fire Department, which protects lives and property from fire and hazardous incident damage. Provides timely emergency medical services in the City of Ilwaco and other neighboring municipalities, which have contracted for fire protection services. Ensures the department incorporates up-to-date, efficient fire prevention, fire suppression, hazardous incident mitigation and emergency medical technologies into its procedures, equipment and methods. Recruits, performs back ground checks and trains new volunteer firefighters.

**Fire Chief 9:** Reports directly to the Mayor, and the Fire Chief will administer, plan, direct and control all aspects of the Ilwaco Volunteer Fire Department including the administration, fire suppression, fire prevention and rescue activities of the department as authorized by and incompliance with all City Ordinances, State or Federal laws. The Fire Chiefs administrative duties include the direct control of equipment purchasing, department expenditures, the preparation of the budget and the hiring, assigning, or the appointment and termination of

Officers and Volunteer members. The Fire Chief is responsible for Fire Code review, corrective code improvements, the compliance and the approval of building plans. The Fire Chief shall carry out all of the duties included in Fire Chief 8, and additional duties as required.

**Fire Chief 10:** Reports directly to the Mayor, and the Fire Chief will develop a long-range capital plan for apparatus replacement, personnel changes, the need for additional fire stations, the maintenance of all of the fire facilities, the relocation and/or replacement. The Fire Chief will participate in local and regional emergency preparedness drills and the planning process. The Fire Chief shall ensure that adequate mutual aid agreements are in place for major emergency incidents. The Fire Chief shall carry out all of the duties included in Fire Chief 8 and 9, and, any additional duties as required.

**Fire Chief 11** Reports directly to the Mayor and shall carry out all duties included in Fire Chief 8, 9 and 10, and, any additional duties as required. The Fire Chief shall ensure that the Mayor, Council and all Department heads, and staff participate in Natural Disaster preparedness drills, the understanding of the National Incidents Management System (NIMS), including their job requirements, responsibilities and Federal Documentation requirements during a disaster.

**Fire Chief 12** Reports directly to the Mayor and shall carry out all duties included in Fire Chief 8, 9, 10 and 11, and, represents the department at various local and state training seminars, hearings and meetings. Fire Chief 12 is responsible for managing and coordinating and serving as Incident Commander (IC) in the City's Emergency Operation Center (EOC) during Major Events.

**CITY OF ILWACO  
ORDINANCE NO. 834 EXHIBIT B**

**2015 PAY TABLE (Effective January 1, 2015)**

2015

City of Ilwaco  
Exempt Employee Annual Salary Scale

Step	1	2	3	4	5	6	7	8	9	10
Grade	Years to Step									
		1	1	1	2	2	2	3	3	3
3	22517	23268	24018	24769	25520	26271	27022	27773	28524	29274
4	25276	26119	26962	27804	28647	29490	30332	31175	32018	32860
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6	31524	32575	33626	34678	35729	36781	37832	38883	39935	40986
7	35031	36198	37365	38533	39700	40867	42034	43202	44369	45536
8	38795	40088	41381	42674	43967	45260	46553	47846	49139	50431
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11	51907	53635	55362	57078	58807	60512	62237	63965	65692	67420
12	57674	59594	61513	63420	65341	67236	69152	71072	72991	74911

2015

City of Ilwaco  
Non-Exempt/Hourly Employee Hourly Rate of Pay Scale

Step	1	2	3	4	5	6	7	8	9	10
Grade	Years to Step									
		1	1	1	2	2	2	3	3	3
3	10.83	11.19	11.55	11.91	12.27	12.63	12.99	13.35	13.71	14.07
4	12.15	12.56	12.96	13.37	13.77	14.18	14.58	14.99	15.39	15.80
5	13.60	14.05	14.50	14.96	15.41	15.86	16.32	16.77	17.22	17.68
6	15.16	15.66	16.17	16.67	17.18	17.68	18.19	18.69	19.20	19.70
7	16.84	17.40	17.96	18.53	19.09	19.65	20.21	20.77	21.33	21.89
8	18.65	19.27	19.89	20.52	21.14	21.76	22.38	23.00	23.62	24.25
9	20.60	21.29	21.97	22.66	23.35	24.03	24.72	25.41	26.09	26.78
10	22.69	23.44	24.20	24.95	25.71	26.47	27.22	27.98	28.74	29.49
11	24.96	25.79	26.62	27.44	28.27	29.09	29.92	30.75	31.58	32.41
12	27.73	28.66	29.58	30.49	31.41	32.32	33.24	34.17	35.09	36.01

**CITY OF ILWACO  
CITY COUNCIL AGENDA ITEM BRIEFING**

A. Meeting Dates: Council Workshop: Public Hearing:  
Council Discussion Item: 06/08/15 Council Business Item:

B. Issue/Topic: **Emergency Communications Sales Tax**

C. Sponsor(s):

1. Cassinelli
- 2.

D. Background (overview of why issue is before council):

1. The PACCOM Admin Board met on Monday, May 28, 2015 and discussed proposed changes to the Interlocal Agreement plus a .01% Emergency Communications Sales Tax. An additional meeting is scheduled for consideration of the Interlocal Agreement and budgetary/fiscal policy discussion. That meeting will be held on Tuesday June 9, 2015 at the Naselle Fire Hall at 4:00pm.

E. Discussion (specific details relevant to the issue, pros/cons, alternatives and any other decision-making details):

1. The city currently pays \$32,400 per year to PACCOM from its general funds.
2. Included in this material is an Emergency Communications Funding Fact Sheet and a letter from Greg McLeod regarding fiscal policy. Please refer to these documents for discussion details.

F. Impacts:

1. Fiscal:
2. Legal:
3. Personnel:
4. Service/Delivery:

G. Planning Commission:  Recommended  N/A  Public Hearing on

H. Staff Comments:

I. Time Constraints/Due Dates:

Proposed Motion: **I move to adopt the proposed resolution giving full and unqualified support to the E 9-1-1 Sales and Use Tax.**

**CITY OF ILWACO  
RESOLUTION NO. 2015-XX**

**A RESOLUTION OF THE CITY OF ILWACO, WASHINGTON, DEMONSTRATING SUPPORT FOR PLACING A COUNTYWIDE 1/10TH OF 1 PERCENT SALES TAX MEASURE ON THE BALLOT TO PROVIDE CONSISTENT FUNDING FOR 911 SERVICE.**

**WHEREAS**, Pacific County Communications (PACCOM) provides the first line of response for citizens in need of help; and

**WHEREAS**, protecting the public's safety is a foremost responsibility for local government; and

**WHEREAS**, providing a consistent level of funding to sustain the service is a high priority for the Long Beach Police Department, Ilwaco Volunteer Fire Department and all emergency service agencies in Pacific County; and

**WHEREAS**, every citizen in the County relies on this essential service and should therefore be responsible for a proportional share of the 911 service cost; and

**WHEREAS**, the current method of funding places a disproportionate burden on property owners by using property tax as the primary source of revenue; and

**WHEREAS**, the State of Washington has provided legislation to fund 911 through sales tax to insure that adequate and responsible service is available to all citizens through RCW 82.14.420; and

**WHEREAS**, all of the agencies served by Pacific County Communications have weighed the options available for funding the program and have agreed that the sales tax is the most fair and equitable solution.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ILWACO, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

**Section 1.** That the Ilwaco City Council does hereby give its full and unqualified support to the E 9-1-1 Sales and Use Tax proposition, asking the Pacific County Board of Commissioners to place this issue on the November 2015 countywide ballot, and encourages all eligible citizens to support the proposition.

**Section 2. Effective Date.** This resolution, being an exercise of power specifically delegated to the city legislative body, is not subject to referendum and shall take effect five (5) days after passage by the City Council.

**PASSED BY THE CITY COUNCIL OF THE CITY OF ILWACO, AND SIGNED IN AUTHENTICATION OF ITS PASSAGE THIS \_\_\_ DAY OF \_\_\_\_\_, 2015.**

\_\_\_\_\_  
Mike Cassinelli, Mayor

ATTEST:

\_\_\_\_\_  
Holly Beller, Deputy City Clerk

VOTE	Jensen	Karnofski	Marshall	Chambreau	Forner	Cassinelli
Ayes						
Nays						
Abstentions						
Absent						

EFFECTIVE:

## 1/10 of 1 percent for Emergency Communications Funding

### Fact Sheet

Copied from materials provided by Grays Harbor County

The proposal before you allows citizens to vote on a one-tenth of one percent sales tax dedicated to funding emergency communications in Pacific County. The money raised would be used to provide ongoing operational funding for the E 9-1-1 system.

PACCOM is currently funded by our member and non-member agencies which include the County, four cities, eight fire districts/ems, North Pacific County EMS, Shoalwater Bay Tribe, PUD #2, all pay directly from their general funds for the service. This may have worked in the past, however it has become increasingly clear that the E 9-1-1 system protects many more people than those footing the bill. While there is a small tax on telephone bills to pay for monthly 9-1-1 telephone lines and upgrades to the 911 system only, no such funding exists to pay for personnel, radio infrastructure and other expenditures needed to receive 9-1-1 calls and dispatch the appropriate help to the appropriate place. The users have paid all of those costs alone. (not sure if this is true??)

This proposal, authorized by state law, spreads the cost of 9-1-1 across everyone protected by the system whether they reside here or are passing through. Instead of property owners bearing the burden of funding the 9-1-1 system, the cost would be shared amongst everyone making a purchase in Pacific County. One tenth of one percent will cost

1 penny for every \$10 spent

10 cents for every \$100 spent

1 dollar for every \$1,000 spent.

It is estimated by the Dept of Commerce that over 38% of sales tax collected in Pacific County is from tourists and other non-residents.

Passage of the proposal by voters would have two effects. First, the County and member agency contributions could be reduced, returning money to their general funds to provide services to citizens locally. Second, the passage of this proposal would put in place a stable, and responsive funding source dedicated for the E 9-1-1 system.

By responsive, I mean that the funding and E 9-1-1 workload would be tied together through population. Population is a common denominator between both sales tax and 9-1-1 calls. The more people we have, the more 9-1-1 calls and the more purchases are made. The fewer people, the less of both we have.

May 20, 2015

On June 9, 2015 I have scheduled a meeting for the Administrative Board tentatively for 1600 hours. Mayor Struck, Cathy Spoor and I will meet with Stephanie to begin budget deliberations.

An issue in the past is that PACCOM is a reactionary operation. To clarify, it is an organization that reacts to outside influences like the Board of County Commissioners, the Sheriff and other state agencies. For the years forward beginning in 2016 I would like a prospective approach that includes looking to the future for changes to be anticipated both in required equipment purchases and labor changes.

A major problem for us all is the surprises that we received this year in corrections of county operations. Surprises can be dealt with if we have planned our affairs responsibly. Planning for changes at the local level is facilitated when they have a somewhat stable target. PACCOM budgeting should be stable with contingency funds available to weather the unplanned event storm.

For this evolution, equipment needed should be detailed and the date it is needed should be part of this list, personnel changes anticipated by number, cost, benefits costs and date needed are relevant and other costs that may influence us should be on the list.

Revenue changes that are anticipated both from the Washington State Military department and any detail of discussions at the state level that would change our planning, and revenue source changes at the local level. We are not planning on any changes to the funding formula. We are planning on the increased sales tax revenue.

My goal is to establish, in stone, a fund balance of about \$300,000 as a cushion. My thought is that we would have at least two months of payroll in reserve but better would be three months. With this amount in reserve we can overcome any sudden changes and plan for contingencies. With a list of prospective equipment needed we can plan purchases or delay them based on facts on the ground. I would like to insure that the county and the sheriff provide us certainty that the sales tax funds generated are specifically allocated to PACCOM dispatch center.

I invite anyone who wishes to attend this planning meeting. Input from the Ops Board is anticipated before this meeting if they have any changes, additions or deletions.

Warm regards,  
Greg McLeod

Proposition E 9-1-1  
Proposed Time Frame

**May**

- Kathy Spoor to draft resolution and timeline for BOCC and Member Agencies to consider Proposition E 9-1-1
  - By May 22<sup>nd</sup>-Share draft with PACCOM Board, asking for comment by June 3<sup>rd</sup>. Incorporate any changes and email final draft to PACCOM board by June 5<sup>th</sup>.
  - By May 22<sup>nd</sup>-Kathy Spoor to draft resolution for member agencies to present to their Board or Council to consideration. Email to PACCOM Board asking for comment by June 3<sup>rd</sup>. Incorporate any changes and email final draft to PACCOM board by June 5<sup>th</sup>.
  - By May 22<sup>nd</sup>-Kathy Spoor to draft timeline/workplan for Proposition E 9-1-1. Email to PACCOM Board asking for comment by June 3<sup>rd</sup>. Incorporate any changes and email final draft to PACCOM board by June 5<sup>th</sup>.

**June**

- June 9<sup>th</sup>-Approval by PACCOM Board of draft resolutions for County and Member Agencies
- Revise or develop interlocal describing use of new sales tax. Disseminate to member agencies for consideration and approval.
- Review Talking Points document from Grays Harbor-update with Pacific County information and disseminate to member agencies for use when presenting to their Board and/or Council.
- June 10<sup>th</sup>-Disseminate final draft and ask that County and Member agencies adopt/approve prior to July 10<sup>th</sup>.
- Memo to Teamsters Union(s) advising them of the proposed proposition and asking for their endorsement.

**July**

- Prior to July 14<sup>th</sup> member agencies to submit copies of resolutions to Stephanie to forward to BOCC.
- July 14<sup>th</sup> -BOCC consider adoption of resolution authorizing proposition E 9-1-1 be added to November 2015 ballot Prosecuting Attorney to approve ballot proposition title.
- July 15<sup>th</sup>-Forward County Resolution and Ballot Language to County Auditor by July 15<sup>th</sup>.
- Appoint committee to direct education campaign.
- PACCOM Board to approve budget for education campaign

Proposition E 9-1-1

**SALES AND USE TAX FOR EMERGENCY COMMUNICATIONS OPERATIONS**

This proposition authorizes a sales and use tax at the rate of one-tenth of one percent consistent with RCW 82.14.420 to be used solely for the purpose of providing ongoing funds for the operation of Enhanced 9-1-1 Emergency Communications Systems and facilities, including constructing, equipping, operating, maintaining, repairing and improving countywide emergency communication systems.

Should this proposition be approved? Yes \_\_\_ No \_\_\_

DRAFT

**RESOLUTION NO. 2015-\_\_\_\_\_**  
**IN THE MATTER OF SUBMITTING PROPOSITION E 9-1-1**  
**TO THE VOTERS OF PACIFIC COUNTY**

**WHEREAS**, Pacific County Communications (PACCOM) is an entity created through an Interlocal agreement between Pacific County, the four incorporated cities, Shoalwater Bay Tribe, the eight Fire/Emergency Medical Services (EMS) districts and North Pacific County EMS known as member and nonmember agencies; and

**WHEREAS**, the PACCOM Board consisting of representatives of the member agencies establishes the annual budget, provides financial support from their respective general funds, and governs Enhanced Emergency Communications (E 9-1-1) services for all residents and visitors to Pacific County; and

**WHEREAS**, given the budget constraints experienced by all PACCOM member agencies, the ability to continue to provide the level of funding needed to operate E 9-1-1 services is not sustainable, and potential reductions in services will be detrimental to public and officer safety; and

**WHEREAS**, every resident and visitor to the County relies on these essential services and should therefore be responsible for a proportional share of the E 9-1-1 service cost; and

**WHEREAS**, the State of Washington has provided legislation to fund E 9-1-1 through a sales and use tax to insure adequate and responsible services are available to all residents and visitors; and

**WHEREAS**, RCW 82.14.420 allows the county legislative authority to submit an authorizing proposition to the voters, and if the proposition is approved by a majority of persons voting, impose a sales and uses tax that shall equal one-tenth of one percent of the selling prices in the case of sales tax, or value of the article used, in the case of the use tax; and

**WHEREAS**, all of the member agencies served by PACCOM have weighed the options available for funding E 9-1-1 operations and have agreed that the sales and use tax option is the most fair and equitable solution;

**NOW THEREFORE BE IT HEREBY RESOLVED** that the Board of Pacific County Commissioners submit proposition E 9-1-1 to the qualified electors of Pacific County authorizing the collection of one-tenth of one percent sales and use tax to be used solely for costs associated with the financing, design, acquisition, construction, equipping, operating, maintaining, remodeling, repairing, reequipping, and improvement of emergency communication systems and facilities.

**PASSED** by the following vote this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by the Board of Pacific County Commissioners meeting in regular session at South Bend, Washington, then signed by its membership and attested to by its Clerk in authorization of such passage:

\_\_\_\_\_ YEA; \_\_\_\_\_ NAY; \_\_\_\_\_ ABSTAIN; and \_\_\_\_\_ ABSENT.

BOARD OF COUNTY COMMISSIONERS  
PACIFIC COUNTY, WASHINGTON

\_\_\_\_\_  
Steve Rogers, Chair

ATTEST:

\_\_\_\_\_  
Frank Wolfe, Commissioner

5/22/2015

Marie Guernsey, Clerk of the Board

Lisa Ayers, Commissioner

DRAFT



# **PACIFIC COUNTY SHERIFF'S OFFICE**

*Sheriff Scott L. Johnson*

300 Memorial Drive, P.O. Box 27, South Bend, WA 98586 | Phone 360.875.9395 | Fax 360.875.9393

## **PACIFIC COUNTY COMMUNICATIONS**

### **911 ADMINISTRATIVE BOARD**

### **MEETING NOTICE AND AGENDA**

June 9, 2015, 4:00 p.m.

Naselle Fire Hall

1. Sign In
2. Minutes – May 18, 2015
3. New Business
4. Old Business
  - a. 1% Sales Tax Option Discussion
  - b. Interlocal Agreement Revisions
  - c. Funding Formula Revisions
  - d. 2016 Budget Status
5. Adjourn

# Pacific County Communications Administrative Board Meeting 4:30 p.m., May 18, 2015 – Naselle Fire Hall

Present: Greg McLeod, Kathy Spoor, Julie Struck, David Glasson, Taileen Wilson, Jacob Brundage, Stephanie Fritts. Fritts signed all present in. Meeting called to order at 4:30 p.m.

**Minutes of March 3, 2015:** Passed. Motion Struck, second Spoor. Motion carried.

**Report on 1% Sales Tax, David Glasson:** David Glasson handed out paperwork related to a proposed 1% Sales Tax for Emergency Communications. Each jurisdiction, including the cities, have to pass a resolution stating that a 1% sales tax should be on the ballot. Sample resolutions are included in the packet of information provided. Discussion among McLeod, Glasson and Spoor regarding a guarantee that the funding generated will go into the PACCOM fund. Stephanie Fritts suggested that this could be included in the Interlocal and Greg McLeod stated that a statement should be included in the resolution. Informational brochures should be made available, newspaper articles, city council meetings, etc.

Stephanie will send out final resolution with a request for consideration on their next agenda. Kathy Spoor will develop a timeline for action.

**Interlocal Agreement:** Julie Struck had a phone call today regarding the draft revisions to the Interlocal Agreement. Todd Strozyk indicated there was too much control in one individual/agency hands as the Sheriff sits on both the Admin and Ops Board – is this a conflict? Could be changed to be “Pacific County Sheriff or designee”. Greg McLeod indicated the Fire District 1 opinion is that there is no need for change. Discussion of last year’s budget process and how that may impact the suggested revisions. Julie Struck stated that City of South Bend supports the revisions.

Stephanie Fritts asked what motivated the revision related to Homeland Security purchases – all agreed to strike the addition of Article VI.B.3. and Article VII.B.2.

Kathy Spoor will do a revised draft and Stephanie Fritts will send out for consideration. Bring to a vote on June 09, 2015 at 4:00 p.m. Administrative Board meeting at Naselle Fire Hall.

**Funding Formula Revisions:** Julie Struck looked a number of other formulas all of which would be radical changes and could become difficult very quickly. Julie believes we currently have the best solution available, other than charging some of the smaller districts a minimum rate. The change would not be significant, but would be more equitable. Kathy Spoor looked at \$2K per year as a minimum, but doesn’t know what the impact would be. The consensus was to delay any funding formula decision until the June meeting.

Stephanie Fritts stated that preparing the budget as early as indicated for 2016, will result in some revisions to the budget as there is not adequate budget guidance from the county.

Budget Committee – Julie Struck, Greg McLeod and Mike Cassinelli.

**Other Business:** Kathy Spoor reminded those present of the radio equipment contract – no signed contract has been received from City of Ilwaco, City of Raymond, PCFD 1, PCFD 2, PCFD 6, PCFD 7, and PCFD 8.

Greg McLeod would like to establish a strategic financial direction for PACCOM and have a financial cushion in terms of the fund balance. Greg frames this in terms of payroll and would like to be able to pay payroll for two months. Kathy Spoor suggested the Administrative Board adopt some fiscal policies/recommendation.

Adjourned 5:35 p.m.

DRAFT

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

WHEREAS, the Legislature (Chapter 54, Laws of 1991) found that a state-wide emergency communications network of enhanced 911 telephone service, which allows an immediate display of a caller's identification and location, would serve to further the safety, health, and welfare of the state's citizens, and would save lives; and

WHEREAS, Chapter 39.34, RCW, the Interlocal Cooperation Act, allow the Members to agree to the joint provision of communication services; and

WHEREAS, the Members as well as the residents of, and visitors to, Pacific County would benefit both in terms of efficiency and economy from a consolidated communications system; and

WHEREAS, it has been determined to be more efficient to provide consolidated communication services through an existing governmental structure; and

WHEREAS, Pacific County is an existing governmental structure encompassing the entire geographic, economic, and population region to be served and is responsible by existing state law for establishing and operating a county-wide enhanced 911 communications system; and

WHEREAS, this Pacific County Communications Interlocal Agreement supersedes and replaces any and all previous Pacific County Communications Interlocal Agreements;

NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and agreements contained herein, the Members agree as follows:

THIS AGREEMENT is made and entered into by and among the municipal corporations, and political subdivisions held to be municipal corporations within the laws and Constitution of the State of Washington, located either in whole or in part within Pacific County which are parties signatory to this Agreement (collectively "Members", and individually "Member").

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

**ARTICLE I  
Purpose**

It is the purpose of this Agreement to provide a consolidated communications system with 911 telephone service for the Members and their agencies, contracting non-member agencies, as well as the residents of, and visitors to, Pacific County and thereby enhance efficiency and economy, and to equitably distribute the cost of this service among the various agencies.

**ARTICLE II  
Organization**

A. There is hereby created a consolidated public safety communications center; an agency hereinafter called PACCOM. The parties hereto each hereby assign to such agency the responsibility for public safety communication services in those participating incorporated and unincorporated areas of Pacific County, which are under jurisdiction of any party to this Agreement. Such agency shall be a sub department of Pacific County government within the Sheriff's Office and under the supervision of the Pacific County Sheriff, subject to provisions of this Agreement.

B. There is to be created a special pooled fund within the County Treasury, which fund shall be known as the "PACCOM Fund", into which shall be deposited all funds received for the account of this sub department and from which shall be paid all proper claims.

C. PACCOM is to be separate from any existing emergency response agency for operational control. Operational and/or procedural matters are to be decided upon by the Sheriff. The PACCOM Operations or Administration Boards will be consulted and/or informed about issues provided for in this Agreement.

**ARTICLE III  
Definitions**

As used in this Agreement the words and phrases in this Section shall have the meanings indicated unless the context clearly requires otherwise.

A. "Communications Services" shall include 24 hours per day, 7 days per week call receiving with a 911 telephone service and call dispatching for all public safety (law enforcement, fire, and emergency medical) services, or any related service recommended for inclusion by the Operations Board, approved by the Administration Board, and confirmed by the Sheriff. Officer safety related law enforcement communications will also include information from the Washington State Patrol Law Enforcement Data Communications System to the local law enforcement agencies.

B. "County" shall mean the political subdivision organized and existing under the Constitution and Laws of the State of Washington as the municipal corporation Pacific County.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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C. "Member Agencies" shall include the following eligible public safety entities:

1. Law enforcement agencies:
  - a. Pacific County (Pacific County Sheriff's Office)
  - b. City of Long Beach (Long Beach Police Department)
  - c. City of Raymond (Raymond Police Department)
  - d. City of South Bend (South Bend Police Department)
2. Fire agencies:
  - a. City of Ilwaco (Ilwaco Fire Department)
  - b. City of Long Beach (Long Beach Fire Department)
  - c. City of Raymond (Raymond Fire Department)
  - d. City of South Bend (South Bend Fire Department)
  - e. Fire Protection District #1 (Peninsula)
  - f. Fire Protection District #2 (Chinook)
  - g. Fire Protection District #3 (Willapa Valley)
  - h. Fire Protection District #4 (Naselle)
  - i. Fire Protection District #5 (North Cove)
  - j. Fire Protection District #6 (Bay Center)
  - k. Fire Protection District #7 (Nemah)
  - l. Fire Protection District #8 (Rural South Bend)
3. EMS Agencies
  - a. North Pacific County Emergency Medical Services (NPCEMS)

D. "Non-Member Agencies" may include any entity which is not a Member, or any agency of a Member which is not public safety related, but receives communication services provided under Section IV-C of this Agreement including but not limited to:

1. South Beach Ambulance Service
2. Pacific County Department of Public Works
3. Shoalwater Bay Indian Reservation
4. Public Utility District #2
5. Washington State Department of Corrections
6. Pacific County Department of Community Development-Code Enforcement

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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**ARTICLE IV  
Provision of Communication Services**

- A. The County, through its Sheriff's Office and with the advice and recommendations from the Administration and Operations Boards provided for herein, shall endeavor to provide an affordable solution for providing communications services (PACCOM) using a 911 telephone network for Member and contracting Non-Member Agencies as well as the residents of and visitors to Pacific County.
- B. PACCOM, after consideration by and with the supportive recommendations of the Administration and Operations Boards, may provide communications services to Non-Member Agencies. Non-Member Agencies shall pay rates for these services as recommended by the Administrative Board and established by the Board of County Commissioners.
- C. PACCOM, after consideration by and with the supportive recommendations of the Administration and Operations Boards, may provide related services other than call answering and dispatch services to Member Agencies. Member Agencies shall pay rates for these supplemental services as recommended by the Administration Board and established by the Board of County Commissioners.

**ARTICLE V  
Personnel**

All personnel of PACCOM shall be employees of the Pacific County Sheriff's Office and assigned to PACCOM. They will be subject to all rules and regulations pertaining to Pacific County Sheriff's Office employees, except as modified by collective bargaining agreements with the Board of County Commissioners and the County Sheriff. The Administration and Operations Boards may advise the County representatives as to collective bargaining issues. The County shall be responsible for actual collective bargaining and final contract ratification.

**ARTICLE VI  
Administration Board**

- A. The Administration Board will consist of the following nine (9) representatives, or their designees:
  - 1. One Pacific County Commissioner
  - 2. The Mayor or City Councilperson of Ilwaco
  - 3. The Mayor or City Councilperson of Long Beach
  - 4. The Mayor or City Councilperson of South Bend
  - 5. The Mayor or City Councilperson of Raymond
  - 6. The Pacific County Sheriff
  - 7. One Fire District Commissioner selected by the Pacific County Fire Commissioners Association

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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8. One Fire District #1 Commissioner
9. One member of the North Pacific County Emergency Medical Services Administrative Board

B. The Administration Board shall:

1. Review and/or change the funding formula as necessary to assure fair and equitable funding of services.
- ~~2.~~ Be responsible for ~~developing and approving~~ preliminary and final budgets to recommend for incorporation into the County budget.
- ~~2-3.~~ Develop Non-Member Agency rate recommendations for the Board of County Commissioners' approval.
- ~~3-4.~~ Act in an advisory capacity to the Board of County Commissioners with regard to all issues impacting PACCOM and Members' budgets.
- ~~4-5.~~ Oversee the Operations Board and resolve issues which the Operations Board is unable to reach agreement upon.

C. Any action by the Administration Board will require a meeting conforming to the "Open Meetings" Act and with at least five members present and a majority vote of those present.

**ARTICLE VII  
Operations Board**

A. The Operations Board with oversight by the Administration Board will consist of the following eight (8) members, or their designees:

1. The Pacific County Sheriff
2. The Chief of Police of the City of Long Beach
3. The Chief of Police of the City of Raymond
4. The Chief of Police of the City of South Bend
5. The Fire Chief of Raymond Fire Department
6. The Fire Chief of Pacific County Fire Protection District #1
7. Two at-large Fire Chiefs from among the Cities of South Bend, Ilwaco, and Long Beach and Fire Districts 2, 3, 4, 5, 6, 7, and 8.  
*Exception: If a Fire Chief serves two (2) jurisdictions/entities, that Fire Chief shall only have one (1) vote.*

B. The Operations Board shall:

1. Develop operational priorities, policies and procedures for recommendation to the PACCOM Director.

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2. Review requests for additional communications services and determine if such services should be provided. If such requests are approved by a majority of the Operations Board, the Administration Board shall be provided with the recommendation and cost for the additional services.
  3. Appoint ~~or serve as~~ a sub-committee of voting Operations Board members with equal representation from Law Enforcement and Fire Services, to review requests for project(s) funded with Homeland Security grants. ~~Review recommendations and approve grant requests consistent with goals set forth by the Operations Board membership.~~
- C. The law enforcement agency members of the Operations Board shall establish any necessary rules and regulations governing access to, security for, and operation of the data communications network and any Criminal Justice Records Information received by or through means of such network. Such rules and regulations shall be consistent with the provisions and requirements of Chapter 10.97, RCW.
- D. Any action, except "C" above, by the Operations Board requires a meeting conforming to the "Open Meetings" Act and with at least five members present and a majority vote of those present. Operations Board members must be present at fifty percent (50%) of scheduled meetings annually.

**ARTICLE VIII  
Directorship**

The County Sheriff shall appoint ~~serve as~~ the Director of PACCOM ~~with assistance from an individual selected by the Sheriff after consulting with the Administration Board.~~ The Director shall be responsible for the PACCOM budget and personnel administration, dispatching, records, communications, security and other PACCOM related functions under the direction of the Pacific County Sheriff and in conformance with the terms and intent of this Agreement.

**ARTICLE IX  
Federal Communications Commission (FCC) Licenses**

Pacific County shall be responsible for maintaining FCC authorization and licensing to operate on radio frequencies for the purpose of 911 calls and other dispatching activities. If Member Agencies continue to operate their respective radio systems, they shall individually be responsible for maintaining FCC authorization and licensing in good standing if such system is part of the overall communications services scheme.

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**ARTICLE X  
Technical Expertise**

PACCOM may provide the Administration or Operations Boards, or other parties to this Agreement, with technical expertise as may be required for proper operation of the systems and for procurement of their communications equipment including, but not limited to: FCC Liaison, Licensing, Frequency Coordination, and System Planning, Engineering and Design.

**ARTICLE XI  
Equipment**

Each Member Agency shall be responsible for purchasing, installing, maintaining and repairing its own communications equipment and shall retain all rights to such equipment. New equipment purchased by Member Agencies shall be compatible with the overall communications scheme established by the Administration Board with the recommendation of the Operations Board.

All assets purchased by PACCOM shall be held in the name of Pacific County for the benefit of PACCOM.

**ARTICLE XII  
Frequency Pool**

Individual Member Agencies may elect to enter into agreement with PACCOM to use said agency's FCC authorized frequencies for dispatching purposes as part of a frequency pool. Member Agencies shall retain their FCC authorization rights while participating in the frequency pool. New FCC frequency authorizations obtained by PACCOM shall be held in the name of Pacific County for the benefit of PACCOM.

**ARTICLE XIII  
Dissolution**

This Agreement may be dissolved by agreement of 2/3 of the law enforcement Member Agencies plus 2/3 of the fire and emergency medical service Member Agencies. As an example, the City of South Bend would have one vote as a law enforcement agency and one vote as a fire service agency. Upon dissolution of this Agreement, assets owned by PACCOM at the time of dissolution of the Agreement may be purchased by a Member Agency to this Agreement at a value as determined by the Administration Board and confirmed by the Board of County Commissioners. Property not sold in the foregoing manner shall be disposed of in the same manner as County property; PROVIDED, that equipment purchased with any Federal or State grant shall be disposed of in accordance with the terms of the grant. If no grant or legal provisions govern disposition of the proceeds, then such proceeds shall be divided among the Members based upon each Member's proportionate share of contribution as determined by the funding formula in effect at the time of dissolution.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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**ARTICLE XIV  
Budget**

- A. A Budget Committee will be appointed each year by March, consisting of not more than three (3) representatives from the Operations Board and not more than three (3) representatives from the Administration Board. One of the Administration Board representatives shall be a County Commissioner unless said member decides not to participate. This Committee will review and recommend a budget for the next fiscal year ~~to at a joint public meeting of the Operations and Administration Boards to be held prior to August 1<sup>st</sup> October 1<sup>st</sup>~~ for review and action.
- B. ~~The Administration Board Board will convene a separate meeting directly following the joint public meeting in (A) above for purposes of adopting the preliminary budget recommendations. The Administration Board will consider member comments on the preliminary budget prior to approving a preliminary budget. A copy shall approve a preliminary budget and forward a copy of the preliminary budget will be forwarded at budget in a timely manner to each Member. The Administration Board will consider member comments on the preliminary budget prior to approving a final budget.~~
- C. ~~The preliminary final budget for the next PACCOM fiscal year that is approved by the PACCOM Administration Board at a public meeting prior to August 1<sup>st</sup> each year, so approved, shall be submitted by the PACCOM Director as the preliminary budget request to the County, and shall be incorporated into the County budget upon approval from the Board of County Commissioners. Each Member Agency will be sent a copy of the final budget once it is approved by the Board of County Commissioners.~~
- D. Each Member or Non-Member Agency shall pay its share of the budget to PACCOM in care of the County Treasurer in four (4) equal installments payable within 25 days of the beginning of each calendar quarter. Failure to pay as provided herein shall constitute a substantial breach of this Agreement and may result in one or all of the following:
1. Expelling the delinquent Member. This authority shall reside in the Administration Board.
  2. Instituting a civil action. If this remedy is chosen Pacific County will seek reasonable costs including, but not limited to: the costs of responsible officials' time, witness fees, attorney fees and court costs.
  3. Billing interest on the amount owed at a rate of twelve percent (12%) per annum. The authority to impose interest on delinquent accounts shall reside in the Administration Board.
- E. Member protection from expulsion or discontinuance of public safety communication services is contingent upon timely payments and compliance with the terms of this Agreement.

Commented [KS1]: The County preliminary budget is due by the 2<sup>nd</sup> week in August.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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**ARTICLE XV  
Funding**

- A. Funding for PACCOM will be provided through local and state-imposed 911 taxes, local voter approved sales tax, grants, Member Agency and Non-Member Agency service fees, with the balance of the required revenue being derived from the Members through a funding formula. The funding formula shall establish a fair and equitable contribution for each Member. The funding formula is contained in Exhibit A and incorporated herein by this reference.
- B. The funding formula in Exhibit A may be amended to assure fair and equitable funding of the services as follows:
1. The Administration Board may amend the funding formula with a unanimous vote of the attending representatives during a meeting held before July 1<sup>st</sup> and in which there are at least five (5) representatives present. Prior to taking action on a proposed amendment to the funding formula, all Members shall be provided with copies of the proposal and be given an opportunity to submit written comments.
  2. If a vote is not unanimous during such meeting, the administration Board may hold a hearing with at least ten (10) days advance written notice to the signatory Members on the proposal. After the hearing the proposal may be approved by agreement of 2/3 of all law enforcement agencies and 2/3 of all fire service agencies of those present at the hearing.
  3. Any change to the funding formula can only be made during the first eight months of the year (January through August). Any such change will become effective on January 1st of the following year.

**ARTICLE XVI  
Admission of New Parties**

Additional Members and/or agencies may be added to this Agreement upon such terms and conditions as determined by the Administration Board. The admission of such additional parties shall be by written addendum to this Agreement, signed by the Chair of the Administration Board and the new Member or Agency, and confirmed by the Board of County Commissioners.

**ARTICLE XVII  
Amendments**

- A. Amendments to this Agreement may be made by written agreement of all Members hereto.
- B. Amendments to this Agreement may also be made as follows:
1. The Administration Board may make amendments by a unanimous vote of the

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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attending representatives during a meeting in which there at least five (5) representatives present. Prior to taking action on a proposed amendment to this Agreement, all members shall be provided with copies of the proposal and be given an opportunity to submit comments.

2. If a vote is not unanimous during such meeting, the Administration Board may hold a hearing on the proposal. After the hearing the proposal may be approved by agreement of 2/3 of all law enforcement agencies and 2/3 of all fire service agencies. As an example, the City of Raymond would have one vote as a law enforcement agency and one vote as a fire service agency.

**ARTICLE XVIII  
Resolution/Arbitration**

Every reasonable effort will be made by the Administration Board to settle differences of opinion as to the application or interpretation of this Agreement. Any controversy that the Administration Board is unable to resolve between the Members in regard to the application or interpretation of this Agreement may be submitted to and determined by arbitration in accordance with Chapter 7.04, RCW.

**ARTICLE XIX  
Insurance**

Each of the parties to this Inter-local Agreement agrees to indemnify and hold the other parties harmless from and against any and all loss and damage, and any and all claims, demands, suits, liabilities and payments, including cost of defense, arising in whole or in part, out of the negligent act or omission of a party, its officers, employees, agents or subcontractors, or the negligent act or omission of any person for which a party or subcontract is held liable.

However, if any losses, damages, claims, demands, suits, liabilities and payments, including cost of defense, arise out of or result from the concurrent negligence of multiple parties, their officers, employees, agents, subcontractors or any other person for which a party is held liable, this indemnity provision shall be valid and enforceable only to the extent of the negligence of any indemnitor's officers, employees, agents, subcontractors, or any other person for which an indemnitor is held liable.

As the PACCOM host, Pacific County, provides County officers, employees and agents associated with PACCOM operations with liability insurance coverage through the Washington Counties Risk Pool. Each member of this Inter-local Agreement is responsible for retaining its own liability insurance coverage for its independent operations associated with PACCOM. The parties to this Inter-local Agreement agree that in the case that more than one of the parties is held jointly and/or severally liable for any losses, damages, claims, demands, suits, liabilities and payments, including the cost of defense, that each party shall be responsible for its own declared percentage of liability, and that each liable party's percentage responsibility shall be primary to Pacific County liability.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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**ARTICLE XX Duration of Agreement**

This Agreement shall be effective January 1, 2016~~2~~ through December 31, 2018~~4~~; PROVIDED, any Member may withdraw from this Agreement by giving at least six (6) months' advance written notice to the other Members and the Administration and Operations Boards of its intent to withdraw at the end of the current year. A withdrawing member shall remain liable for any damages incurred by Pacific County outside of or beyond the County's general liability coverage that occurred during the time the withdrawing Member was a Member. The withdrawal of any member shall not require dissolution of this Agreement and no compensation or other assets shall be owed to any withdrawing Member; PROVIDED FURTHER, that failure of any Member to perform its obligations under this Agreement shall constitute grounds for withdrawal from this Agreement by any Member adversely affected by such breach upon giving thirty (30) days written notice of intent to withdraw with an explanatory statement to the other Members and the Administration and Operations Boards.

Non-Members shall provide at least six (6) months' advance written notice to the Administration and Operations Boards of their intent to opt-out of communications services at the end of the current year.

Unless dissolved or amended in accordance with the terms herein, this Agreement will renew January 1, 2019~~5~~ and each subsequent year thereafter subject to terms of withdrawal by a given member agency.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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**EXHIBIT "A"**  
Page 1

Pacific County Communications (PACCOM)  
Funding Formula

**SECTION 1 - PURPOSE**

The purpose of this document is to establish a "funding formula" to determine each member's fair and equitable contribution to support the yearly operational budget of PACCOM. This formula is intended to be used and applied in conjunction with the PACCOM Interlocal Agreement. Any amendments or adjustments to this formula must be in accordance with the terms and conditions of the PACCOM Interlocal Agreement.

**SECTION 2 - FUNDING**

The funding sources for PACCOM are outlined in Article XV of the PACCOM Interlocal Agreement. Any balance of required revenue, after all other revenue sources are exhausted will hereby be called the "Member Budget" and will be funded according to the terms and conditions of this document.

A. Member Budget

The Member Budget will be established through the following procedure:

1. Determine the total PACCOM budget (Article XIV)
2. Deduct all non-member revenue including but not limited to:
  - a. Revenue from contracts
  - b. Any state or local 911 taxes
  - c. Grants
  - d. Donations
  - e. Service fees

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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3. From this subtotal deduct 10% as "off the top" County share; this is designed to account for some minor "County only" expenses incurred by PACCOM, as well as to account for County General Fund contributions by residents of all Members. This 10% is funded fully by the County, and will be added to the county contribution.
4. The balance resulting from Steps 1-3 above is the "Member Budget" and is subject to the following "Funding Formula":

**B. Funding Formula**

Once the "Member Budget" amount is determined as previously described, the resulting amount is prorated among the "Law Enforcement" member agencies based upon 90% of the Member Budget, and the "Fire" and "Emergency Medical" member agencies based upon 10% of the Member Budget.

**LAW ENFORCEMENT:** The law enforcement portion (90%) shall be prorated using the most recent four (4) year average of population, assessed valuation, and computer aided dispatched (CAD) incidents<sup>1</sup> for each law enforcement member entity. Member agencies have agreed that CAD incidents will be phased in over the three year period, 2012 – 2014, as in the example below. Subsequent years will be calculated as the formula for 2014.

2012  
CAD incidents – 17% of member budget  
Assessed Valuation – 41.5% of member budget population  
Population – 41.5% of member budget

---

<sup>1</sup> CAD incidents are defined as incident entries made by PACCOM telecommunications staff and reported within the Spillman CAD module. CAD incidents may include false alarms, stand downs, etc., and are not related to field response or case generation. CAD incident numbers will be reconciled annually with member agencies prior to budget adoption.

PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
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2013

CAD incidents – 34% of member budget  
Assessed valuation – 33% of member budget  
Population – 33% of member budget

2014 and beyond

CAD incidents – 50% of member budget  
Assessed Valuation – 25% of member budget  
Population – 25% of member budget

SEE EXAMPLE BELOW: Based on a member budget of \$500,000 \*, \$450,000 of which would be the law enforcement portion.

2012

CAD portion of budget = 17% = \$76,500  
Assessed value portion = 41.5% = \$186,750  
Population portion = 41.5% = \$186,750

2013

CAD portion = 34% = \$153,000  
Assessed value portion = 33% = \$148,500  
Population portion = 33% = \$148,500

2014 and beyond

CAD portion = 50% = \$225,000  
Assessed value portion = 25% = \$112,500  
Population portion = 25% = \$112,500

\* Actual member budget will vary.

Each portion shown above would then be divided among the members in accordance with each entities percentage of the total as shown in the following table.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

<b>LAW ENFORCEMENT CONTRIBUTION</b>												
\$ 450,000												
ENTITY	Population*		Population		Last 4yr AV		AV		AV		Sample	
	Population*	Percentage	Population	Share (41.5%)	AV	Percentage	Share (41.5%)	AV	Percentage	Share (17%)	Share (17%)	Contribution
Pacific County*	14,645	66.27%	\$ 123,754	\$ 1,714,139,606	\$ 140,503	75.24%	\$ 140,503	8698	41.32%	\$ 31,613	\$ 31,613	\$ 358,255
Ilwaco	1,115	5.05%	\$ 9,422	\$ 115,327,953	\$ 9,453	5.06%	\$ 9,453	776	3.69%	\$ 2,820	\$ 2,820	\$ 21,696
Long Beach	1,535	6.95%	\$ 12,971	\$ 246,205,163	\$ 20,181	10.81%	\$ 20,181	2804	13.32%	\$ 10,191	\$ 10,191	\$ 43,343
Raymond	3,065	13.87%	\$ 25,900	\$ 129,980,923	\$ 10,654	5.71%	\$ 10,654	4882	23.19%	\$ 17,744	\$ 17,744	\$ 54,298
South Bend	1,740	7.87%	\$ 14,703	\$ 72,694,782	\$ 5,959	3.19%	\$ 5,959	3888	18.47%	\$ 14,131	\$ 14,131	\$ 34,793
<b>TOTALS:</b>	<b>22,100</b>	<b>100.00%</b>	<b>\$ 186,750</b>	<b>\$ 2,278,348,427</b>	<b>\$ 186,750</b>	<b>100.00%</b>	<b>\$ 186,750</b>	<b>21048</b>	<b>100.00%</b>	<b>\$ 76,500</b>	<b>\$ 76,500</b>	<b>\$ 512,384</b>
*The total includes the County's 10% "off the top" share												
Pop Share = \$ 186,750										CAD Share (17%) = \$ 76,500		AV Share = \$ 186,750

(\*): All percentages are based on the participation of all parties listed. Population from OFM Estimates (updated April of each year)

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

**FIRE AND EMS:** Those Fire/EMS jurisdictions providing EMS transport service will split 67% of the Fire/EMS total. Jurisdictions providing solely first responder and fire service will split 33% of the Fire/EMS total. Further, the fire and EMS portions (a total of 10%) shall be prorated using the most recent four (4) year average of assessed valuation and computer aided dispatched (CAD) incidents<sup>2</sup> for each fire and EMS member entity. Member agencies have agreed that CAD incidents will be phased in over a three year period, 2012 – 2014, as in the example below. Subsequent years will be calculated as the formula for 2014.

2012  
CAD incidents – 17% of member budget  
Assessed Valuation – 83% of member budget population

2013  
CAD incidents – 34% of member budget  
Assessed valuation – 66% of member budget

2014 and beyond  
CAD incidents – 50% of member budget  
Assessed Valuation – 50% of member budget

**EXAMPLE:** Based on a member budget of \$500,000 \*, \$50,000 (or 10%) of which would be the Fire/EMS portion.

2012  
CAD portion of budget = 17% = \$8,500  
Assessed value portion = 83% = \$41,500

2013  
CAD portion = 34% = \$17,000  
Assessed value portion = 66% = \$33,000

<sup>2</sup> CAD incidents are defined as incident entries made by PACCOM telecommunications staff and reported within the Spillman CAD module. CAD incidents may include false alarms, stand downs, etc., and are not related to field response or case generation. CAD incident numbers will be reconciled annually with member agencies prior to budget adoption.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

2014 and beyond  
CAD portion = 50% = \$25,000  
Assessed value portion = 50% = \$25,000

\*Actual member budget will vary.

The Fire/EMS member contribution will be in accordance with each entities percentage of the total as shown in the following tables.

ENTITY	AV	AV %	AV Share (33%)	CAD Galls	CAD %	Sample	
						CAD Share (17%)	Contribution
Ilwaco City	\$ 118,873,954	4.80%	\$ 1,335	300	7.89%	\$ 450	\$ 1,758
Long Beach City	\$ 287,825,656	11.62%	\$ 3,232	500	13.16%	\$ 749	\$ 3,922
FD#2 Chinook	\$ 69,829,182	2.82%	\$ 784	200	5.26%	\$ 300	\$ 1,068
FD #1, Peninsula EMS	\$ 1,365,976,089	55.17%	\$ 15,339	1600	42.11%	\$ 2,398	\$ 17,472
NPCEMS	\$ 633,617,099	25.59%	\$ 7,115	1200	31.58%	\$ 1,798	\$ 8,780
<b>TOTALS</b>	\$ 2,476,121,980	100.00%	\$ 27,805	3800	100.00%	\$ 5,695	\$ 33,000
			AV Share= \$27,805			CAD Share= \$5,695	

**Notes:**

NPCEMS CAD numbers are combined total for Raymond and Naselle

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

<b>FIRE AND EMS CONTRIBUTION – FIRE PORTION (Based on \$50,000)</b>									
(CAD at 17% for 2012, 34% for 2013, 50% for 2014)									
33% Fire Share = 16,500									
ENTITY	AV	AV%	AV/Share	CAD Galls	CAD%	CAD/Share	Contribution	Sample	Contribution
Ilwaco City	\$ 118,873,954	4.94%	\$ 677	85	12.69%	\$ 356	\$ 1,064		\$ 1,064
Long Beach City	\$ 287,825,656	11.97%	\$ 1,639	105	15.67%	\$ 440	\$ 2,142		\$ 2,142
Raymond City	\$ 149,147,896	6.20%	\$ 849	70	10.45%	\$ 293	\$ 1,177		\$ 1,177
South Bend City	\$ 82,207,626	3.42%	\$ 468	35	5.22%	\$ 147	\$ 633		\$ 633
FD #1 Peninsula Fire	\$ 1,364,479,989	56.74%	\$ 7,770	180	26.87%	\$ 754	\$ 8,782		\$ 8,782
FD#2 Chinook	\$ 69,829,182	2.90%	\$ 398	55	8.21%	\$ 230	\$ 647		\$ 647
FD #3 Valley	\$ 188,154,985	7.82%	\$ 1,071	60	8.96%	\$ 251	\$ 1,363		\$ 1,363
FD #4 Naselle	\$ 76,910,287	3.20%	\$ 438	45	6.72%	\$ 188	\$ 645		\$ 645
FD #6 Bay Center	\$ 40,137,407	1.67%	\$ 229	10	1.49%	\$ 42	\$ 279		\$ 279
FD #7 Nema	\$ 9,558,158	0.40%	\$ 54	10	1.49%	\$ 42	\$ 99		\$ 99
FD #8 South Bend	\$ 17,822,521	0.74%	\$ 101	15	2.24%	\$ 63	\$ 169		\$ 169
<b>TOTALS</b>	\$ 2,404,947,661	100.00%	\$ 13,695	670	100.00%	\$ 2,805	\$ 17,000		\$ 17,000
		Fire AV/Share=		\$13,695	CAD Share=		\$2,805		

(\* These percentages are based on the participation of all parties listed.

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

AUTHORIZED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2011

BOARD OF COMMISSIONERS  
PACIFIC COUNTY, WASHINGTON

\_\_\_\_\_  
Norman B. Cuffel, Chairman

\_\_\_\_\_  
Jon C. Kaino, Commissioner

\_\_\_\_\_  
Lisa Ayers, Commissioner

ATTEST:

\_\_\_\_\_  
Kathy Noren  
Clerk of the Board

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

CITY OF ILWACO:

\_\_\_\_\_  
Mayor Mike Cassinelli

Attest: \_\_\_\_\_  
Ilwaco City Clerk

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

CITY OF LONG BEACH:

\_\_\_\_\_  
Mayor Bob Andrew

Attest: \_\_\_\_\_  
Long Beach City Clerk

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

CITY OF RAYMOND:

\_\_\_\_\_  
Mayor Robert Jungar

Attest: \_\_\_\_\_  
Raymond City Clerk

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

CITY OF SOUTH BEND:

\_\_\_\_\_  
Mayor Kirk Church

Attest: \_\_\_\_\_  
South Bend City Clerk

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY SHERIFF:

\_\_\_\_\_  
Sheriff Scott L. Johnson

Attest: \_\_\_\_\_  
Civil Clerk

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 1 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 2 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 3 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 4 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 6 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 7 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 8 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

**PACIFIC COUNTY COMMUNICATIONS (PACCOM)  
INTERLOCAL AGREEMENT**

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

PACIFIC COUNTY FIRE DISTRICT 5 COMMISSIONER

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_

Authorized this \_\_\_\_\_ day of \_\_\_\_\_ 2011.

NORTH PACIFIC COUNTY EMERGENCY MEDICAL SERVICES DISTRICT

\_\_\_\_\_  
Commissioner

Attest: \_\_\_\_\_



**CITY OF ILWACO  
PLANNING COMMISSION MEETING**

**Tuesday, June 2, 2015**

**A. Call to Order**

1. Chair Malin called the meeting to order at 6:02 p.m.

**B. Roll Call**

1. Present: Nansen Malin, Cheri Diehl, Nancy McAllister. Seat 2 and 5 vacant.
2. Staff: Ryan Crater, City Planner & Holly Beller, Deputy City Clerk

**C. Approval of Agenda**

**ACTION: Motion to approve agenda with date change. (McAllister/Diehl) 3 Ayes 0 Nays 0 Abstain**

**D. Approval of Minutes**

**ACTION: Motion to approve the Regular Meeting minutes of April 7, 2015. (McAllister/Diehl) 3 Ayes 0 Nays 0 Abstain.**

**E. Comments of Citizens and Guests Present**

**F. Staff Reports**

1. City Planner, Ryan Crater, reported on new activity with the Tuna Club.
2. Deputy City Clerk, Holly Beller, reported that the City Council will be looking at adding a new chapter to IMC for Code Enforcement.
3. Next meeting scheduled for July 7, 2015 at 6pm

**G. Commissioner Reports**

1. Cheri Diehl and Nansen Malin will reach out to Jared Oakes about a seat on the commission. Nansen Malin spoke with Kay Harrison who plans to attend the next meeting in July. Nansen also worked on a survey for the comprehensive plan community input.

**H. Business**

**I. Discussion**

**1. Comprehensive Plan Survey**

- a. Nansen reviewed survey samples from Ryan Crater, John Kliem, and online materials. Using notes from the Comp Plan workshop with John Kliem, a survey was compiled. Commission went through edits and corrections to review at next meeting. Survey instruments;
  - (1) Survey Monkey, EZ View, or other online survey tool
  - (2) Printed for City Hall

- (3) Link on City web page to print survey
- (4) News release in newspaper
- (5) Saturday market, IMA, Envision Ilwaco

**ACTION: Left for Discussion at next meeting.**

**2. Short Term Vacation Rentals**

- a. Ryan Crater presented draft language for Vacation Rentals with help from Gayle Borchard from The City of Long Beach. Commission took home for review and comment. Public Comment will be asked for at the next meeting.

**ACTION: Left as discussion for next meeting.**

**3. Floating Zoning for Wood and Flower Sales**

- a. IMC has conflicting language for home occupations within residential districts. It appears that wood bundle sales conflict with the intent of home occupations and would require a Conditional Use Permit. Nancy McAllister suggested that we look at the City of South Bend and City of Raymond for examples from their code.

**ACTION: Left as discussion for next meeting.**

**J. Adjournment**

**ACTION: Motion to adjourn the meeting (McAllister).** Chair Malin adjourned the meeting at 7:15 p.m.

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Nansen Malin, Chair

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Holly Beller, Deputy City Clerk



## Proposed changes to Title 15 to address Vacation Rentals

### Add the following definitions to Title 15.04.020

“ITINERANT LODGING” means a hotel, motel or other facility engaged in the rental or provision of lodging facilities for periods of thirty (30) days or less. Also refers to the actual facility for rent, including, and not limited to, bed and breakfast rooms, condominium hotel units, hotel rooms, motel rooms, RV spaces, camping spaces, timeshare units, and vacation rentals. All itinerant lodging is subject to the city's transient occupancy tax, as required by Title 3, Chapter 3.34. See also definitions of Bed And Breakfast, Hotel, Motel, Hostel and Vacation Rental. Contrast to "long term lodging" as defined herein.

“VACATION RENTAL” means the use of a dwelling unit as itinerant lodging. See also definition of Itinerant Lodging.

### Make the following changes to Title 15.44.010 (Yellow shows proposed changes)

Land Use	R-1	R-1S	R-2	R-3	R-4	R-5	C-1	C-2	M-1	P
<b>Retail Trade and Services</b>										
Hotel/motel/hostel				A	A		A	A		
Vacation Rental				A	A		A	A		

Land Use	R-1	R-1S	R-2	R-3	R-4	R-5	C-1	C-2	M-1	P
<b>Residential</b>										
Short-term rental of dwelling units				A		-	-		-	-
Vacation Rental				A	A		A	A		

**Make the following change to Title 15.29 (Remove Short term rental of dwelling units – Create separate Chapter 15.62 for Vacation Rentals)**

~~15.29.045 Short term rental of dwelling units.~~

~~A.— Definitions. “Short term rental” is defined as the use of a dwelling unit, for remuneration, for a period of less than thirty (30) calendar days, counting portions of days as full days.~~

~~B.— Standards.~~

~~1.— One (1) off-street parking space shall be provided for each bedroom in the dwelling unit, but in no event shall fewer than two (2) spaces be provided.~~

~~2.— The short term rental dwelling unit shall meet all applicable requirements of the R-3 resort district zone, including but not limited to setbacks, maximum height, lot coverage standards and requirements on signs, landscaping and nonpermanent equipment.~~

~~C.— Conditions.~~

~~1.— The maximum number of occupants shall not exceed three (3) persons (over the age of three (3)) per bedroom. Occupancy of a dwelling shall not exceed twelve (12) persons.~~

~~2.— A city business license is required per Chapter 5.04, and all Transient Occupancy Tax (Chapter 3.24), Sales and Use Tax (Chapter 3.16) and Business and Occupation Tax (Chapter 3.18) provisions apply.~~

~~3.— Weekly solid waste collection shall be provided during all months that the dwelling unit is used for short-term rental occupancy.~~

~~4.— Where a provision of this section conflicts with a provision of a lawful and recorded restrictive covenant, the more restrictive provision shall apply.~~

~~5.— An informational sign shall be posted conspicuously inside the short-term rental dwelling unit, together with a copy of the property owner’s business license, to provide information on the maximum occupancy, location of off-street parking, contact information for the property owner or local representative, evacuation~~

~~routes and the renter's responsibility not to trespass on private property, not to litter and not to create a noise disturbance.~~

## 15.62 Vacation Rentals (Yellow shows new language)

- A. The purpose of this chapter is to establish zoning regulations on the siting and operation of vacation rentals in all zoning districts. Vacation rentals are allowed to site within the following zoning districts, R-3, R-4, C-1 and C-2. Vacation rentals proposed in zoning district not listed above or within Title 15, Chapter 15.44.010 shall be subject to review under Title 15, Chapter 15.48 (Conditional Uses).
- B. Vacation rentals located within the C-1 and C-2 zoning districts shall be prohibited from locating on the first floor. *(Planner's comment: The intent of this is to maintain commercial retail/trade or similar uses on the first floor, which is important for these zoning districts)*
- C. "VACATION RENTAL" means the use of a dwelling unit as itinerant lodging. See also definition of Itinerant Lodging. *(Planner's comment: The purpose of this definition is to allow vacation rental to be viewed not as just a residential use, but as a commercial use, which it is. Explanation below)*

"Short-term rental" is defined as the use of a dwelling unit, for remuneration, for a period of less than thirty (30) calendar days, counting portions of days as full days.

"Dwelling unit" means a building or portion of a building designed for occupancy by one family for residential purposes and having kitchen facilities.

*Planner's comment: The previous definition for a vacation rental was "short-term rental" of a "dwelling unit". "Dwelling unit" is defined under Title 15.04.020 as a building designed for occupancy by a family for a "residential purpose". The proposed change allows vacation rentals to not be strictly viewed as a residential use under Title 15, as it is now, but as a commercial use as well. This will allow vacation rentals to locate within commercial zoning districts and within other zoning districts where hotels/motels/hostels are allowed to locate. The new definition for "ITINERANT LODGING" further supports this proposed change.*

### D. Standards.

1. One (1) off-street parking space shall be provided for each bedroom in the dwelling unit, but in no event shall fewer than two (2) spaces be provided. This standard does not apply within the C-1 zoning district.

2. The vacation rental unit shall meet all applicable requirements of the district zone which it is sited in, including but not limited to setbacks, maximum height, lot coverage standards and requirements on signs, landscaping and nonpermanent equipment.

E. Conditions.

1. The maximum number of occupants shall not exceed two (2) persons (over the age of three (3)) per bedroom. Occupancy of a dwelling shall not exceed twelve (12) persons.

2. A city business license is required per Chapter 5.04, and all Transient Occupancy Tax (Chapter 3.24), Sales and Use Tax (Chapter 3.16) and Business and Occupation Tax (Chapter 3.18) provisions apply.

3. Weekly/monthly solid waste collection shall be provided during all months that the dwelling unit is used for short-term rental occupancy. Weekly/monthly solid waste collection shall not be considered "yellow bag" or as-needed service, but weekly/monthly solid waste service provided by Peninsula Sanitation Services.

4. Where a provision of this section conflicts with a provision of a lawful and recorded restrictive covenant, the more restrictive provision shall apply.

5. An informational sign shall be posted conspicuously inside the short-term rental dwelling unit, together with a copy of the property owner's business license, to provide information on the maximum occupancy, location of off-street parking, contact information for the property owner or local representative, evacuation routes and the renter's responsibility not to trespass on private property, not to litter and not to create a noise disturbance. The owner of the vacation rental will be required to provide 24-hour contact information directly to the owners of any property located within 100 feet of the vacation rental.

**Floating Zones are used for:**

A floating zone is a special zone that exist in the zoning ordinance/code but not on the zoning map. The floating zone can be applied when the town identifies the need for a particular land use but is not sure where it should go. Land may be rezoned to the floating zone use based on a case-by-case review if the applicant meets the conditions spelled out in the zoning ordinance. Floating zones are typically used for mobile home parks, shopping centers, retirement complexes, and multifamily PUD's. A floating zone should not be confused with spot zoning. A floating zone contains definite permitted uses...usually large development projects...and serves to satisfy an identified public need.

**Conversation:**

It appears that a some homes in the R-1 district are selling wood/flowers...specifically along Spruce Street, which is not an allowed use. To do this....a land owner would need a Conditional Use Permit.

The intent of the R-1 zoning district is to provide for a low density, single-family residential type of development, including new manufactured homes, and to protect the area's single-family residential character.

Home occupations are allowed in the R-1 zone, but on-site retail sales are not allowed as part of that use (See Title 15.04 "Home occupation" means an occupation carried on entirely within a residence by the occupants, which does not include storage or sale of stock in trade.). Allowing retail uses would be inconsistent with the intent of the R-1 zoning district.

**Issue:** The city has received some (one) complaint from a merchant located within the Ilwaco regarding the sale of fire wood in residential zones.

**Planners Comments:** The need to support local merchants selling similar products such as fire wood or flowers is paramount above allowing these same uses to occur in residential zoning districts where they are currently not allowed. I don't see the need to seek a zoning change to allow for "retail" uses in residential zoning districts. These uses are planned for in other zoning districts and should be supported and maintained. Allowing retail competition for fire wood sales and/or flower sales outside of the proper zoning [as insignificant as it seems] does have a negative effect on our local Merchants.

**Further Comments:** There could be some options to consider to potentially allow these uses in the R-1 zone, but this would need to be explored in more detail. A zoning change to allow this will have impacts under the SEPA process that would need to be considered. Consideration needs to be given to merchants selling these items in the proper zoning districts, of which needs to be supported and protected.