

ORDINANCE NO. O2016.33

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, AMENDING CHAPTER 12, ARTICLE II, TEMPE CITY CODE, RELATING TO FLOODPLAIN MANAGEMENT, BY AMENDING SECTION 12-29, RELATING TO STANDARDS OF CONSTRUCTION, AND BY AMENDING SECTION 12-31, RELATING TO STANDARDS FOR UTILITIES WITHIN SPECIAL FLOOD HAZARD AREAS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, as follows:

Section 1. That Chapter 12, Article II, Section 12-29(3)(b) of the Tempe City Code is hereby amended to read as follows:

Sec. 12-29. Standards of construction.

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

* * *

(3) *Elevation and floodproofing:*

* * *

(b) *Nonresidential construction.* Nonresidential construction, new or substantial improvement, shall either be elevated to conform with paragraph ~~(e)(1)~~ **(3)(a)** of this section or together with attendant utility and sanitary facilities:

- i. Be floodproofed below the elevation recommended under subsection ~~(e)(1)~~ **(3)(a)** of this section so that the structure is watertight with walls substantially impermeable to the passage of water;
- ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- iii. Be certified by a registered professional engineer or architect that the standards of this section are satisfied. Such certification shall be provided to the floodplain administrator.

Section 2. That Chapter 12, Article II, Section 12-31 of the Tempe City Code is hereby amended to read as follows:

Sec. 12-31. Standards for utilities within special flood hazard areas.

The following standards shall apply to utilities within flood hazard areas:

- (1) All new and replacement water supply and sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from systems into floodwaters.
- (2) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (3) Waste disposal systems shall not be installed wholly or partially in a floodway.
- (4) Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or located **TO CONFORM WITH SECTION 12-29(3)(a) OF THIS ARTICLE** so as to prevent water from entering or accumulating within the components during conditions of flooding.

Section 3. Pursuant to the Tempe City Charter, Section 2.12, ordinances are effective thirty (30) days after adoption or at any later date specified therein.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF TEMPE, ARIZONA, this ___ day of _____, 2016.

Mark W. Mitchell, Mayor

ATTEST:

Brigitta M. Kuiper, City Clerk

APPROVED AS TO FORM:

Judith R. Baumann, City Attorney