


ORDINANCE NO. 1520

AN ORDINANCE AMENDING, BY REPEALING AND RE-ENACTING, SUBSECTION 10.30.070(b) (ix) OF SECTION 10.30.070 OF CHAPTER 10.30, TITLE X OF THE YUBA COUNTY ORDINANCE REGARDING FLOODPLAIN MANAGEMENT

The following ordinance consisting of three (3) sections was duly and regularly passed and adopted by the Board of Supervisors of the County of Yuba, State of California, at a regular meeting of the Board of Supervisors held on day of July 10, 2012, by the following vote:

AYES: Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker
NOES: None
ABSENT: None
ABSTAIN: None



Chairman of the Board of Supervisors
of the County of Yuba, State of California

ATTEST: DONNA STOTTLEMEYER
Clerk of the Board of Supervisors

By: 

APPROVED AS TO FORM
ANGIL MORRIS-JONES:

By: 

THE BOARD OF SUPERVISORS OF THE COUNTY OF YUBA, STATE OF CALIFORNIA DOES ORDAIN AS FOLLOWS:

Section 1. This ordinance shall take effect thirty (30) days after its passage, and before the expiration of fifteen (15) days after its passage a summary shall be published with the names of the members voting for and against the same, once in a local newspaper of general circulation in the County of Yuba, State of California.

Section 2. Subsection 10.30.070(b) (ix) of Section 10.30. 070 of Chapter 10.30 of Title X of the Yuba County Ordinance Code is hereby repealed in its entirety and re-enacted as amended to read as follows:

ix. Non-conversion of Areas Below the Lowest Floor.

All areas below the BFE are prohibited from being enclosed, and to ensure that the areas below the BFE shall not be enclosed, the Floodplain Administrator shall:

1. Determine which applicants for new construction and/or substantial improvements have areas below the lowest floor that are 4 (four) feet or higher;
2. Enter into a "NON-ENCLOSURE AGREEMENT FOR CONSTRUCTION WITHIN FLOOD HAZARD AREAS" or equivalent with the County of Yuba. The agreement shall be recorded with the Yuba County Recorder as a deed restriction, and prohibit any building enclosures, including breakaway walls, below the BFE. The NON-ENCLOSURE agreement shall be in a form acceptable to the Floodplain Administrator and County Counsel; and
3. Have the authority to inspect any area of a structure below the base flood elevation to ensure compliance upon prior notice of at least 72 hours.

Section 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

The foregoing instrument is a Correct Copy
of the original on file in this office
ATTEST: DONNA STOTTEMEYER
Clerk of the Board of Supervisors of the
County of Yuba, State of California

By Rachel Ferrin
Date: July 11, 2014