



CITY MANAGER

October 25, 2018

Mr. Bill Cappuccio  
NFIP State Coordinator  
502 East Ninth Street  
Des Moines, IA 50319  
bill.cappuccio@dnr.iowa.gov

Dear Coordinator Cappuccio,

The purpose of this letter is to transmit a copy of Chapter 161 of the City Code for the City of Indianola, Iowa (attached). This ordinance was amended to include comments from FEMA in order to remain compliant with NFIP requirements. The City Council adopted this amended ordinance at its meeting on October 15, 2018. Proof of this ordinance's publication is also enclosed with this correspondence.

These materials are being provided in response to a letter dated October 12, 2018 from Rachel Sears, Director of the Floodplain Management Division (FEMA), in advance of the November 16, 2018 deadline.

Please do not hesitate to contact me at (515) 962-5274 if there are questions or additional information required.

Sincerely,

Ryan J. Waller  
City Manager  
City of Indianola

CC: Mayor & City Council  
David Moeller, City Engineer  
Douglas Fulton, City Attorney  
Diana Bowlin, City Clerk  
Rachel Sears, Director, Floodplain Management Division  
Dean Ownby, Floodplain Management and Insurance Branch Chief, FEMA Region VII  
Jason Conn, Local Floodplain Program

ORDINANCE NO. 1603

AN ORDINANCE AMENDING CHAPTER 161, FLOOD PLAIN REGULATIONS,  
INDIANOLA CODE OF ORDINANCES

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF INDIANOLA, IOWA:

**SECTION 1.** SECTION MODIFIED. Chapter 161.02 of the Code of Ordinance for the city of Indianola, Iowa is modified and the following terms incorporated:

APPURTENANT STRUCTURE – A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD ELEVATION (BFE) – The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

FLOOD INSURANCE STUDY (FIS) – A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

HIGHEST ADJACENT GRADE – The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES – Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- a. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- b. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- c. Basement sealing;
- d. Repairing or replacing damaged or broken window panes;
- e. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

**SECTION 2. SECTION MODIFIED.** Chapter 161.03 of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

The provisions of the chapter shall apply to all lands within the jurisdiction of the City shown on the Official Flood Plain Zoning Maps as being within the boundaries of the Floodway, Floodway Fringe, and General Flood Plain (Overlay) Districts. The Flood Insurance Rate Maps (FIRM) prepared as part of the Flood Insurance Study for Warren County and Incorporated Areas, City of Indianola, Panels 1918C0164F, 0168F, 0276F, 0277F, 0279F, 0285F dated November 16, 2018, which were prepared as part of the Flood Insurance Study for Warren County, are hereby adopted by reference and declared to be the Official Floodplain Zoning Map. The flood profiles and all explanatory material contained with the Flood Insurance Study are also declared to be a part of this ordinance.

**SECTION 3. SECTION MODIFIED.** Chapter 161.09 of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

Establishment of Zoning (Overlay) Districts. The floodplain areas within the jurisdiction of this ordinance are hereby divided into the following districts:

1. Floodway (Overlay) District (FW) – those areas identified as Floodway on the Official Flood Plain Zoning Map;
2. Floodway Fringe (Overlay) District (FF) – those areas identified as Zone AE on the Official Flood Plain Zoning Map but excluding those areas identified as Floodway, and;
3. General Floodplain (Overlay) District (GF) – those areas identified as Zone A on the Official Flood Plain Zoning Map.

**SECTION 4. SECTION MODIFIED.** Chapter 161.11 (3) of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

3. Non-residential Buildings. All new and substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the 100-year flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 100-year flood and that the structure below the 100-year flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to the North American Vertical Datum of 1988) to which any structures are floodproofed shall be maintained by the Administrator.

**SECTION 5. SECTION MODIFIED.** Chapter 161.11 (5) of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

Factory-built homes:

- A. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the 100-year flood level.
- B. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.

**SECTION 6.** SECTION MODIFIED. Chapter 161.11 (11) of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

Accessory Structures to Residential Uses:

- A. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied.
  - 1. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the BFE must be constructed of flood-resistant materials.
  - 2. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
  - 3. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
  - 4. The structure shall be firmly anchored to resist flotation, collapse and lateral movement.
  - 5. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
  - 6. The structure's walls shall include openings that satisfy the provisions of CH 161.11 (4) A of this Ordinance.
- B. Exemption from the 100-year flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

**SECTION 7.** SECTION MODIFIED. Chapter 161.14 (3) of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

3. Record and maintain a record of (i) the elevation (in relation to the North American Vertical Datum, 1988) of the lowest floor (including basement) of all new and substantially improved structures or (ii) the elevation (in relation to the North American Vertical Datum, 1988) to which all new or substantially improved structures have been floodproofed.

**SECTION 9.** SECTION MODIFIED. Chapter 161.16 (5) of the Code of Ordinance for the city of Indianola, Iowa is repealed and the following adopted in lieu thereof:

5. Elevation (in related to the North American Vertical Datum, 1988) of the lowest floor (including basement) of buildings or of the level to which a building is to be floodproofed.

**SECTION 10.** SUBSECTION REPEALED. The Code of Ordinance for the city of Indianola, Iowa is hereby amended by repealing CH 161.13 which regulates development in the Shallow Flooding (Overlay) District.

**SECTION 11.** Any ordinance or parts of ordinances in conflict with this ordinance are repealed.

**SECTION 12.** If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part of it not adjudged invalid or unconstitutional.

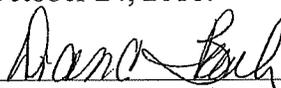
  
\_\_\_\_\_  
Shirley Clark, Mayor Pro Tem

ATTEST:

  
\_\_\_\_\_  
Diana Bowlin, City Clerk

First reading: September 17, 2018  
Second reading: October 1, 2018  
Third reading: October 15, 2018  
Publication Date: October 24, 2018

The foregoing Ordinance No. 1603 was adopted by the Council of the City of Indianola, Iowa, on October 15, 2018, was signed by the Mayor Pro Tem on October 16, 2018, and was published in the Record Herald and Indianola Tribune, a newspaper of general circulation and published in the City of Indianola, Iowa, on October 24, 2018.

  
\_\_\_\_\_  
Diana Bowlin, City Clerk

INDIANOLA, CITY OF - LEGALS AC  
 110 N 1ST ST

INDIANOLA IA 501252527

## AFFIDAVIT OF PUBLICATION

State of Wisconsin

County of Brown, ss.:

The undersigned, being first duly sworn on oath, states that The Des Moines Register and Tribune Company, a corporation duly organized and existing under the laws of the State of Iowa, with its principal place of business in Des Moines, Iowa, the publisher of

### THE RECORD HERALD & INDIANOLA TRIBUNE

newspaper of general circulation printed and published in the City of Indianola, Warren County, Iowa, and that an advertisement, a printed copy of which is attached as Exhibit "A" and made part of this affidavit, was printed and published in The Record-Herald & Indianola Tribune on the following dates:

Ad No.	Start Date:	Run Dates:	Cost:
0003210256	10/24/18	10/24/18	\$158.68

Copy of Advertisement  
 Exhibit "A"

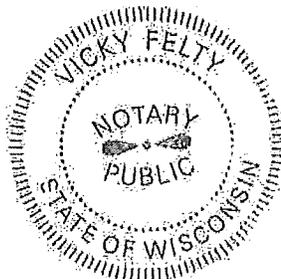
ORDINANCE NO. 1608  
 AN ORDINANCE AMENDING  
 CHAPTER 161 FLOOD PLAIN  
 REGULATIONS INDIANOLA  
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 FLOOD INSURANCE STUDY  
 (FIS) - A report published by  
 FEMA for a community issued  
 along with the community's Flood  
 Insurance Rate Maps. The  
 study contains such background  
 data as the base flood discharge

Kevin Yang  
 Staff member, The Record Herald & Indianola Tribune

Subscribed and sworn to before me by said affiant this

25th day of October, 2018

Nicky Felty  
 Notary Public  
 9-19-21



and water surface elevations that were used to prepare the FIRM. HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

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**SECTION 10. SUBSECTION MODIFIED.**

REPEALED. for the purpose of Ordinance for the city of Indianola, Iowa, is hereby amended by repealing CH 161.13 which regulates development in the Shallow Flooding (Overlay) District.

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SECTION 12. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part of it not adjudged invalid or unconstitutional.

/s/ Shirley Clark  
Shirley Clark, Mayor Pro Tem  
ATTEST: /s/ Diana Bowlin  
Diana Bowlin, City Clerk