

TOWN OF RUSSELL

ORDINANCE NO. 1 FOR THE YEAR 1977

A local Ordinance establishing conditions for the issuance of building permits and subdivision approvals in areas having special flood hazards.

Be it enacted by the Town Board of the Town of Russell.

Section 1. LEGISLATIVE INTENT. The Town of Russell, having been identified by the Federal Insurance Administration as having a Special Flood Hazard Area which is shown on a map dated February 14, 1975, and designated as FIA Flood Hazard Boundary Map No. HOL-24, it is the intent of the Town of Russell to comply with the provisions of section 1910.3b of the criteria of Land Management and use as determined pursuant to title 24-Housing and Housing Credit, chapter 7, Federal Insurance Administration, Department of Housing and Urban Development. This Local Ordinance shall apply to the area described in said map as a special Flood Hazard Area.

Section 2. BUILDING PERMITS. All construction within the Town of Russell shall require application for a building permit. The Town Clerk of the Town of Russell shall review all building permit applications for construction to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or conversion of a non-residential structure to a residence (including prefabricated and mobile homes) must be (1) designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure, (2) use construction materials and utility equipment resistant to flood damage, and (3) use construction methods and practices that will minimize flood damage. Any structures, dwellings, construction or operations existing within the Map's flood prone area prior to the effective date of this ordinance shall be exempt from this law.

Section 3. SUBDIVISIONS AND NEW DEVELOPMENTS. The Town Board of the Town of Russell shall review all subdivision proposals and other proposed new developments to assure that (1) all such proposals are consistent with the need to minimize flood damage, (2) all public utilities and facilities such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage, and (3) adequate drainage is provided so as to reduce exposure to flood hazards.

Section 4. WATER SUPPLY AND SANITARY SEWAGE SYSTEMS.
The town Board of the Town of Russell shall require new or replacement of water supply systems and/ or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require onsite waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

Section 5. The Town Clerk or other authorized representatives of the town Board shall immediately notify the person filing an application if his building site may be in the flood prone area, according to the Map which shall be available for inspection at the Town Clerk's Office. If the proposed building site or its sewage disposal and water supply appears to be in the flood prone area, a building permit must be obtained before construction begins. If the proposed building site is not in the flood prone area, no building permit is necessary.

Section 6. When the Town Clerk cannot determine from the map if a building site is in the flood prone area, the application shall be referred to the Town of Russell Town Board who shall decide if a building permit is necessary.

Section 7. In rendering a decision of approval, approval with conditions, or denial of a building permit the Town Board shall state in writing its findings of fact and conclusions. The decision shall be transmitted to the applicant.

Section 8. Any person seeking a variance from the strict letter of these regulations may make applications therefor to the Town Board. Upon such application the Town Board shall, when there are practical difficulties or unnecessary hardships in the way of carrying out the strict letter of the regulations, have authority to vary or modify the application of such regulations so that the spirit of such regulations shall be observed public safety and welfare secured and substantial justice done.

Section 9. Any person, firm, or entity found violating any provision of this ordinance shall be served with a written notice stating the nature of the violation and providing a specified time within which the violation shall cease. Any person, firm, or entity who shall continue such violation beyond the time limit specified by the town Board shall be subject to a fine not to exceed \$50.00 per day for each day such violation continues.

Section 10. Should any section or provision of the ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not effect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Section 11. PRECEDENCE OF LOCAL ORDINANCE. The provisions of this Local Ordinance shall take precedence over any other laws, or ordinances or codes to the extent that the provisions of this ordinance are more stringent than such other provisions.

Section 12. EFFECTIVE DATE. This local ordinance shall take effect on May 5, 1977.

TOWN OF RUSSELL

Application for a Building Permit

The Applicant is the sole person who is held responsible for this Building Permit.

Application No. _____
Permit No. _____

Fee _____
Received payment _____ 19 _____

Name of Applicant _____

Address of Applicant _____ Phone No. _____

Location of proposed construction _____

On back of this form draw plans showing lot boundaries and dimensions and location of proposed structure on lot.

What distance is the first floor from the ground? _____

Contractor or Builder _____

Name _____

Address _____

Phone _____

Material of Construction _____

Type of foundation or Anchorage _____

Type of Water supply _____

Type of Sewage Facility _____

Building Permit granted _____ Refused _____

Reasons for Refusal _____

Signature of Town Clerk or Board Members.