

ORDINANCE NO. 2025-16
AN ORDINANCE REPEALING TITLE 3 “ADOPTION AND ENFORCEMENT OF
UNIFORM CODES AND STANDARDS FOR MOBILE AND MODULAR
BUILDINGS” AND ENACTING TITLE 3 “BUILDINGS AND CONSTRUCTION”
OF THE LANDER MUNICIPAL CODE

WHEREAS, the City Council of the City of Lander, Wyoming, desires to modernize and consolidate its building regulations; and

WHEREAS, the prior Title 3 addressed only mobile and modular buildings and no longer reflects the comprehensive building standards necessary to ensure the health, safety, and welfare of the public; and

WHEREAS, the City Council finds it necessary to repeal the outdated provisions and replace them with a comprehensive code addressing all aspects of buildings and construction within the City of Lander;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANDER, WYOMING:

SECTION 1. REPEAL.

Title 3 of the Lander Municipal Code, titled “*Adoption and Enforcement of Uniform Codes and Standards for Mobile and Modular Buildings,*” and all sections and subsections therein, are hereby repealed in their entirety.

SECTION 2: ENACTMENT OF NEW TITLE 3.

A new Title 3 of the Lander Municipal Code, titled “Buildings and Construction,” is hereby enacted to read as follows:

Chapter 3.04 - GENERAL PROVISIONS

3.04.10 - Purpose—Authority—General provisions.

- A. The purpose of this title is to establish regulations and procedures for reviewing, licensing and administering building construction operations; contractor and trades, and related activities within the city.
- B. Pursuant to authority granted cities and towns by Wyo. Stat. Section 3-1-103(a)(xxiv-xxvii), building activities within the city will be required to comply with the provisions of this title and specific technical codes, standards and guidelines which have been adopted by the governing body, as amended, as set forth within this title and made a part of in their entirety.
- C. The city's chief building official is authorized and directed to interpret and enforce the applicable provisions of this title.

Chapter 3.08 - INTERNATIONAL BUILDING CODE

3.08.010 - International Building Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:

International Building Code, 2024 Edition, as published by the International Code Council, Inc., including Appendices A, B, G, H, I, J, K and N.

3.08.20 - Amendments.

The International Building Code adopted in Section [3.08.010](#) above is amended as follows:

- A. Section 101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]

- B. Section 101.4.6 Repeal Enforcing the Energy Conservation Code
- C. Section 103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT for [NAME OF DEPARTMENT]
- D. Section 1612.3. Insert: CITY OF LANDER, 8-23-2011 for [NAME OF JURISDICTION, DATE OF ISSUANCE]
- E. Section B101.3. Insert: 2 for [NUMBER OF YEARS]
- F. Section G101.5. Insert: Building Official and/or City Engineer for [JURISDICTION'S SELECTED POSITION TITLE]
- G. Section G103.2. Insert: 8-23-2011 for [DATE]

Chapter 3.09 - INTERNATIONAL EXISTING BUILDING CODE

3.09.10 - International Existing Building Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Existing Building Code, 2024 Edition, as published by the International Code Council, Inc.

3.09.20 - Amendments.

The International Existing Building Code adopted in Section [3.09.010](#) above is amended as follows:

- A. Section 101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]
- B. Section 103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT
- C. Section D101.3. Insert: 2 for [NUMBER OF YEARS]

Chapter 3.10 - INTERNATIONAL RESIDENTIAL CODE

3.10.10 - International Residential Code

A document, being marked and designated as provided in this section and of which one copy of which is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Residential Code, 2024 Edition, as published by the International Code Council, Inc., including Appendices AA, BA, BB, BC, BE, BJ, BO, CA, and CD.

3.10.20 - Amendments.

The International Residential Code adopted in Section [3.10.010](#) above is amended as follows:

- A. Section R101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]
- B. Section R103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT for [NAME OF DEPARTMENT]
- C. Table R301.2. Jurisdictions to fill in details as directed by provisions of the code.
- D. Section R313.2 – Exclude One and Two Family dwellings automatic fire systems.
- E. Section P2603.5.1. Insert: 24 inches and 60 inches for the [NUMBER OF INCHES IN TWO LOCATIONS]
- F. Section AA101.3. Insert: 2 for [NUMBER OF YEARS]

Chapter 3.12 - INTERNATIONAL PLUMBING CODE

3.12.10 - International Plumbing Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Plumbing Code, 2024 Edition, as published by the International Code Council, Inc., including Appendices B, C, D, AND E.

3.12.20 - Amendments.

The International Plumbing Code adopted in Section [3.12.10](#) above is amended as follows:

- A. Section 101.1. Insert: The City of Lander; for CITY OF LANDER for [NAME OF JURISDICTION].
- B. Section 103.1. Insert: [NAME OF DEPARTMENT] CITY OF LANDER BUILDING DEPARTMENT
- C. Section 114.4. Insert: [OFFENSE, DOLLAR AMOUNT, NUMBER OF DAYS]
As set forth in the City of Lander Fee Schedule
- D. Section 305.4.1. Insert: 24 inches and 60 inches [NUMBER OF INCHES IN TWO LOCATIONS]
- D. Section 903.1.1. Insert: 24 inches [NUMBER OF INCHES]
- E. Section F101.3. Insert 2 years [NUMBER OF YEARS]

Chapter 3.14- International Fire Code

3.14.10 International Fire Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Fire Code, 2024 Edition, as published by the International Code Council, Inc.

31.14.20 Amendments

The International Fire Code adopted in Section [3.14.010](#) above is amended as follows:

- A. Section 101.1. Insert: The City of Lander; for CITY OF LANDER for [NAME OF JURISDICTION].
- B. Section 103.1. Insert: [NAME OF DEPARTMENT] CITY OF LANDER BUILDING DEPARTMENT
- C. Section 113.4. Insert: [OFFENSE, DOLLAR AMOUNT, NUMBER OF DAYS]
As set forth in the City of Lander Fee Schedule
- D. Section 1103.5.3. Insert: 01/01/2027[Date by which Sprinkler systems to be installed]
- F. Section A101.3 Insert: 2 years [NUMBER OF YEARS]

Chapter 3.16 - INTERNATIONAL MECHANICAL CODE

3.16.10 - International Mechanical Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Mechanical Code, 2024 Edition, as published by the International Code Council, Inc., including Appendix A.

3.16.20 - Amendments.

The International Mechanical Code adopted in Section [3.16.010](#) above is amended as follows:

- A. Section 101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]
- B. Section 103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT for [NAME OF DEPARTMENT]
- C. Section 114.4. Insert as set forth in the City of Lander Fee Schedule:
[OFFENSE, DOLLAR AMOUNT, NUMBER OF DAYS]
- D. Section C101.3. Insert: 2 for [NUMBER OF YEARS]

Chapter 3.20 - NATIONAL ELECTRICAL CODE

3.20.010 - National Electrical Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
National Electrical Code, 2023 Edition, as published by the National Fire Protection Association, Inc.

3.20.020 - Amendments.

The National Electrical Code adopted in Section [3.20.010](#) of this chapter is amended as follows:

Article 230.70(A)(1) is amended by the addition of a second sentence to read as follows:

Service disconnecting means must be located immediately behind metering equipment or directly adjacent to metering equipment.

Chapter 3.22 - INTERNATIONAL FUEL GAS CODE

3.22.010 - International Fuel Gas Code

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Fuel Gas Code, 2024 Edition, as published by the International Code Council, Inc., including Appendices A, B and C.

3.22.020 - Amendments.

The International Fuel Gas Code adopted in Section [3.22.010](#) above is amended as follows:

- A. Section 101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]
- B. Section 103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT for [NAME OF DEPARTMENT]
- C. Section 113.4. Insert: As set forth in the City of Lander Fee Schedule [SPECIFY OFFENSE] [AMOUNT] [NUMBER OF DAYS]
- D. Section D101.3. Insert: 2 for [NUMBER OF YEARS]

Chapter 3.24 - INTERNATIONAL PROPERTY MAINTENANCE CODE

3.24.010 - International Property Maintenance Code—Adopted.

A document, being marked and designated as provided in this section and of which one copy is on file in the office of the city clerk and open for inspection of the public, is adopted and made a part hereof as if fully set out in this chapter:
International Property Maintenance Code, 2024 Edition, as published by the International Code Council, Inc.

3.24.20 - Amendments.

The code adopted in Section [3.24.010](#) above is amended as follows:

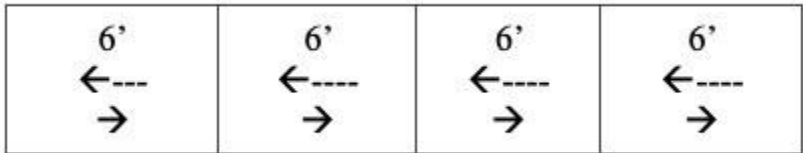
- A. Section 101.1. Insert: CITY OF LANDER for [NAME OF JURISDICTION]
- B. Section 103.1. Insert: CITY OF LANDER BUILDING DEPARTMENT for [NAME OF DEPARTMENT]
- C. Section 302.4. Insert: [HEIGHT IN INCHES]
- D. Section B101.3. Insert 2 for [NUMBER OF YEARS]

Chapter 3.26 - Standards For Mobile Homes

Not more than 45 days after issuance of a placement permit as provided in Section 3.26, every mobile home for which a placement permit is required by such Section shall comply with the following conditions:

- A. The mobile home shall be placed on a permanent foundation, approved by the administrative authority before placement of the mobile home, and consisting of double stacked 8x8x16 blocks and a minimum 2' concrete cap and one of the following:
 - 1. A continuous 4" deep concrete pad under the entire mobile home;
 - 2. A continuous 4" deep x 8" wide concrete runner placed under each I-beam support;
 - 3. A perimeter footing and foundation built to conform to the adopted building code of the City of Lander; or
 - 4. 24" x 24" x 6" concrete piers placed under the I-beams at intervals not greater than 10 feet.
 - 5. Approved 24" x24" ABS pads
- B. The mobile home shall be skirted around its entire perimeter and water pipes shall be wrapped with heat tape or skirting shall be insulated to an "R" factor of nine.

Grooved Top Rail



Minimum of 1x2 framing;
Bottom rail staked every 4' with 12" stakes

Minimum acceptable skirting requirements shall consist of masonry, masonite, aluminum, or wood or other comparable material approved by the administrative authority. Masonry shall be installed by customary methods with suitable mortar used as the adhesive agent. Masonite, wood, or aluminum skirting shall be installed as follows:

- 1. A top and bottom rail consisting of 1x2 wood stringers or equivalent. The top rail shall be attached with bolts or screws to the mobile home bottom. The bottom rail shall be attached to ground support stakes, which will be a minimum of 12" in length and spaced at four foot maximum spacing.
 - 2. Vertical 1x2 wood stringers or equivalent attached to the top and bottom rail by means of bolts or screws. Vertical stringers will be installed at a maximum of every six feet.
 - 3. Skirting material firmly fastened to the top and bottom rails as well as the vertical stringers by means of bolts or screws.
- C. The mobile home shall be securely attached to the ground and ground anchors by not less than six tie-downs. Each tie-down shall be connected to a ground anchor capable of withstanding a minimum uplift of 5,000 pounds, with one tie-down connected to each corner.
 - D. The mobile home shall have the tongue, hitch, or other hauling apparatus adequately camouflaged so as not to detract from the overall appearance of the mobile home or the surrounding areas.
 - E. The mobile home shall be properly connected to all utilities according to the adopted codes of the City.
 - F. The mobile home shall conform to all requirements of the City Zoning Ordinance.
 - G. The mobile home shall conform to the adopted building code of the City concerning live loads, snow loads, and wind loads.

- H. The mobile home shall have a roof system capable of withstanding a 20 pound per square foot uplift condition without buckling, flexing, or other objectionable movement. The use of externally applied weights, whether permanent or temporary, will not be allowed.
1. Compliance with structural standards of this ordinance shall be evidenced at the owner's or manufacturer's expense by the signature of a registered professional engineer or the signature of an authorized representative of the manufacturer of the mobile home. The administrative authority may require any information he deems necessary from the manufacturer or owner of the mobile home for which a placement permit is being requested in order to determine if said mobile home is in compliance with this ordinance. The administrative authority, prior to the occupancy of the mobile home, may inspect such mobile home to determine if such occupancy for permanent living quarters complies with all provisions of this ordinance.
 2. There shall be no storage of combustible material underneath any mobile home.
 3. Public services shall not be extended to mobile homes hereafter located in the City unless said mobile home has been issued a mobile home placement permit by the administrative authority.
 4. Every mobile home, accessory building or structure except awnings shall be constructed in accordance with the applicable provisions of the adopted building codes of the City, and shall be free standing and self-supporting and anchored to the mobile home except when constructed in conjunction with a ramada. Each room in a cabana shall have access to at least one exterior door opening to the outside without passing through the mobile home. A roof of a ramada shall have a minimum of two feet clearance over any fuel-burning appliance vent or plumbing vent, unless such vent extends through the roof of a ramada.
 5. Travel trailers, motor homes, or truck campers may not be used as permanent dwellings units or other permanent uses on private lots within the City.
 6. A mobile home shall not be placed on the same lot with another mobile home or another residential unit.
 7. For the purpose of this Section 3.26, the following words shall have these meanings:

ACCESSORY BUILDING - Any awning, carport, cabana, storage cabinet, utility building, ramada, fence, windbreak, porch, or factory-built addition.

AWNING - A shade structure supported by posts or columns and partially supported by a mobile home, installed, erected, or used on a mobile home.

CABANA - A room enclosure erected or constructed adjacent to a mobile home for residential use by the occupant of the mobile home.

DEAD LOAD - The weight of all permanent construction, including walls, floors, partitions, and fixed service equipment.

GROUND ANCHORS - Devices placed in the ground such as cast-in-place concrete "dead-men" eyelets embedded in concrete slabs, or runways, screw augers, arrowhead anchors, or other devices used to connect tie-downs to stabilize mobile homes.

LIVE LOAD - The weight superimposed by the use and occupancy of the mobile home including wind load and snow load but not including dead load.

LOT - A parcel of land under one ownership with a single legal description, used or capable of being used under the regulations of this ordinance and the City Zoning Ordinance, including both the building site and all required yards and other open space.

MOBILE HOME - A singular prefabricated structure designed for transportation after fabrication on streets and highways on its own wheels and chassis and arriving at the site where it is to be occupied

as a dwelling complete and ready for assembly operations, for living and sleeping quarters also includes trailer homes and mobile homes used for any purpose.

MOBILE HOME PARK - A parcel or contiguous parcels of land under one ownership which has been so designated and improved that it contains two or more mobile home lots for residential use.

PERMANENT DWELLING OR PLACE OF BUSINESS - Any unit used for dwelling or business occupancy over five days in any month or over 30 days in any calendar year.

RAMADA - Any free standing roof or shade structure installed or erected above an occupied mobile home or any portion thereof.

"R" FACTOR - The thermal resistance of a material.

SITE - Any lot or parcel of property located in the City where the structure is to be located.

SKIRTING - Any type of wainscoting around the lower part of mobile homes between the ground and the exterior edge of the bottom of the mobile home, covering wheels and undercarriage.

SNOW LOADS - The weight superimposed upon the roof by the accumulation of snow and other precipitation.

TIE-DOWNS - Any device designed for the purpose of anchoring a mobile home to ground anchors.

TRAVEL TRAILER, MOTOR HOMES, TRUCK CAMPERS - Any unit designed for movement on a roadway by the use of wheels 8'0" or under in width or 32'0" or under in length and not used as a permanent dwelling or office.

WIND LOADS - The lateral or vertical pressure or uplift on the mobile home due to wind blowing in any direction.

A. The following mobile homes shall be exempt from the provisions of this Section 3.26:

1. Mobile homes placed in designated mobile home parks;
2. Mobile homes in commercial mobile homes sales, construction, or repair yards, not being used as a dwelling.

B. Mobile homes located in designated mobile home subdivisions shall be exempt from the provision of Section 3.26.

3.28 Standards For Modular And Manufactured Buildings

A. All modular or manufactured buildings located on private lots within the City shall comply with the following requirements not more than 45 days after issuance of a placement permit as provided in Section 3-1-5:

1. It is built on a permanent chassis and designed to be used with a permanent foundation when connected to utilities and which is constructed certified and labeled in accordance with current HUD manufactured home standards or meets all requirements of the adopted building code of the City;
2. It is placed on a permanent footing, foundation that complies with the IRC with the lower perimeter enclosed;
3. It has a lower perimeter enclosure which:
 - a. meets or is attached to the lower outside edge of the manufactured home; and
 - b. is designed to extend the vertical plane of each exterior wall of the manufactured home from its lower outside edge to the finished grade of the ground;
4. It has a means of access to the undercarriage of the home by an opening of not less than five square feet, through the exterior enclosure or foundation which meets the exterior design or trim of the manufactured home;
5. Any material which is used to enclose the lower perimeter is designed and constructed to withstand the effects of wind, soil pressures, decay, termites and to prevent entry by rodents;

6. All tongues, towing devices, undercarriage support structure used solely for transportation to the site and wheels have been removed from the lot on which the manufactured home is situated;
 7. The specifications and plans for the design and construction of the foundation and utilities have been filed with and permitted by the building official;
 8. All lower perimeter enclosures, decks, walks, steps, handrails, sheds and accessory buildings have been permitted, inspected and approved by the building official;
 9. It has permanent connections to all utilities;
 10. All utility shutoff valves, meters and regulators are located somewhere other than underneath the structure;
 11. A permanent method of anchorage capable of withstanding an uplift pressure of 150 pounds per lineal foot of foundation wall between the building system and the foundation or footing;
 12. As used in this Section 3.28, "modular buildings" or "manufactured homes" shall mean a structure composed of two or more pre-assembled major building sections, fabricated at some location other than the site, which are designed as dependent units that must be joined at the site to form a usable, single, unified structure. The joining of two independent, self-contained structures or any one independent structure, shall not constitute a modular building. A modular or manufactured home shall not include a mobile home.
- B. As used in this Section 3.28, "modular buildings" shall mean a structure composed of two or more pre-assembled major building sections, fabricated at some location other than the site, which are designed as dependent units that must be joined at the site to form a usable, single, unified structure. The joining of two independent, self-contained structures, or any one independent structure, shall not constitute a modular building.

3.30 Mobile Home, Manufactured Home And Modular Building Placement Permits

- A. No person shall set up, locate, or replace a mobile home, manufactured home or modular building, as defined in Section 3.26 and 3.28, on private land in the City, or cause the same to be done, without first obtaining a permit from the proper administrative authority. An applicant for a permit shall provide the administrative authority with such written information as the authority may require to fulfill his duty to enforce any applicable codes or standards. Fees shall be according to the City of Lander Fee Schedule.
- B. The administrative authority may issue a temporary mobile home placement permit during construction of a permanent facility when all of the following conditions are met:
1. the mobile home will not be used as a dwelling;
 2. the mobile home is located on the same lot as the construction; and
 3. the mobile home shall be removed within 10 days of issuance of the occupancy permit.

A temporary placement permit will be exempt from Section 3.26 and shall be valid for not more than six months from date of issuance. A temporary placement permit may be renewed at the discretion of the administrative authority.

Chapter 3.32 Flood Damage Prevention

3.32.010 - Statutory Authorization

The Legislature of the State of Wyoming has in Wyoming State Statute 15-1-103 delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the Governing Body of the City of Lander, Wyoming, does ordain as follows:

3.32.020 Flood Damage

- A. The flood hazard areas of Lander, Wyoming are subject to periodic inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
- B. These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazards areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, flood proofed or otherwise protected from flood damage.

3.32.030 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 to:

- A. Protect human life and health;
- B. Minimize expenditure of public money for costly flood control projects;
- C. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- D. Minimize prolonged business interruptions;
- E. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
- F. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
- G. Ensure that potential buyers are notified that property is in a flood area.

3.32.040 Methods Of Reducing Flood Losses

In order to accomplish its purposes, this ordinance uses the following methods:

- A. Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
- B. Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of flood waters;
- D. Control filling, grading, dredging and other development which may increase flood damage;
- E. Prevent or regulate the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards to other lands.

3.32.050 Definitions

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

ALLUVIAL FAN FLOODING - means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

APEX - means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

AREA OF SHALLOW FLOODING - means a designated AO, AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent chance or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

AREA OF SPECIAL FLOOD HAZARD - is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

BASE FLOOD - means the flood having a one percent chance of being equaled or exceeded in any given year.

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

CRITICAL FEATURE - means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

DEVELOPMENT - means any man-made change in improved and 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.

ELEVATED BUILDING - means a non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, or V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls met the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

EXISTING CONSTRUCTION - means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date.

"Existing construction" may also be referred to as "existing structures."

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 floodplain management regulations adopted by a community.

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 or runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - means an official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY - is the official report provided by the Federal Emergency Management Agency. The report contains flood profiles, water surface elevation of the base flood, as well as the Flood Boundary-Floodway Map.

FLOODPLAIN OR FLOOD-PRONE AREA - means any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN MANAGEMENT - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

FLOODPLAIN MANAGEMENT REGULATIONS - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances

(such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

FLOOD PROTECTION SYSTEM - means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the areas within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

FLOOD PROOFING - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY (REGULATORY 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 a designated height.

FUNCTIONALLY DEPENDENT USE - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

HIGHEST ADJACENT GRADE - means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure. X.

HISTORIC STRUCTURE - means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a. by an approved state program as determined by the Secretary of the Interior or;
 - b. directly by the Secretary of the Interior in states without approved programs.

LEVEE - means a man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

LEVEE SYSTEM - means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

LOWEST FLOOR - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building accessory 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 requirement of Section 60.3 of the National Flood insurance Program regulations.

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 connected 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.

MEAN SEA LEVEL - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

NEW CONSTRUCTION - means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

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 floodplain management regulations adopted by a community.

RECREATIONAL VEHICLE - means a vehicle which is:

1. built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projections;
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 - (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, 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 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, as well as a manufactured home.

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 reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures which have incurred "substantial damage", regardless of the actual repair work performed. 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 conditions or
2. Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

VARIANCE - is a grant of relief to a person from the requirement of this ordinance when specific enforcement would result in unnecessary hardship. A variance, therefore, permits construction or development in a manner otherwise prohibited by this ordinance. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.).

VIOLATION - means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of

compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d) (3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

WATER SURFACE ELEVATION - means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

3-32.603-10-3 General Provisions

- A. **LANDS TO WHICH THIS ORDINANCE APPLIES** - The ordinance shall apply to all areas of special flood hazard within the jurisdiction of Lander, Wyoming.
- B. **BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD** - The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled, "The Flood Insurance Study for Fremont County and Incorporated Areas," dated September 16, 2011 with accompanying Flood Insurance Rate Maps (FIRM) and any revisions thereto are hereby adopted by reference and declared to be a part of this ordinance.
- C. **ESTABLISHMENT OF DEVELOPMENT PERMIT** - A Development Permit shall be required to ensure conformance with the provisions of this ordinance.
- D. **COMPLIANCE** - No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this ordinance and other applicable regulations.
- E. **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.
- F. **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 nor repeal any other powers granted under State statutes.
- G. **WARNING AND DISCLAIMER OR LIABILITY** - The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade 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 the community or any official or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.
- H. **SEVERABILITY** - This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purposes of the ordinance before the declaration of partial invalidity.

3-32.0703-10-4 Administration

- A. **Designation of the Floodplain Administrator** - The Building Official Inspector and/or City Engineer is hereby appointed the Floodplain Administrator to administer and implement the provisions of this ordinance and other appropriate sections of 44 CFR (National Flood Insurance Program Regulations) pertaining to floodplain management.
- B. **Duties & Responsibilities Of The Floodplain Administrator** - Duties and responsibilities of the Floodplain Administrator shall include, but not be limited to, the following:
 - 1. Maintain and hold open for public inspection all records pertaining to the provisions of this ordinance.

2. Review permit application to determine whether proposed building site, including the placement of manufactured homes, will be reasonably safe from flooding.
3. Review, approve or deny all applications for development permits required by adoption of this ordinance.
4. Review permits for proposed development to assure that all necessary permits have been obtained from those Federal, State or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.
5. Where interpretation is needed as to the 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 Floodplain Administrator shall make the necessary interpretation.
6. Notify, in riverine situations, adjacent communities and the State Coordinating Agency which is the Wyoming Office of Homeland Security, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
7. Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
8. When base flood elevation data has not been provided in accordance with Article 3, Section B, the Floodplain Administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a Federal, State or other source, in order to administer the provisions of Article 5.
9. When a regulatory floodway has not been designated, the Floodplain Administrator must require that 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.
10. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in Zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community **first** applies for a conditional FIRM revision through FEMA (Conditional Letter of Map Revision).

3-32-080 PERMIT PROCEDURES

- A.. Application for a Development Permit shall be presented to the Floodplain Administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
1. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
 2. Elevation in relation to mean sea level to which any nonresidential structure shall be Flood proofed;
 3. A certificate from a registered professional engineer or architect that the nonresidential Flood proofed structure shall meet the flood proofing criteria of Article 5, Section B(2);
 4. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development.
 5. Maintain a record of all such information in accordance with Article 4, Section (B)(1).

- B .Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this ordinance and the following relevant factors:
1. The danger to life and property due to flooding or erosion damage;
 2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 3. The danger that materials may be swept onto other lands to the injury of others;
 4. The compatibility of the proposed use with existing and anticipated development;
 5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
 6. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
 7. 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;
 8. The necessity to the facility of a waterfront location, where applicable;
 9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
 10. The relationship of the proposed use to the comprehensive plan for that area.

3-32-090. VARIANCE PROCEDURES –

- A. The appeal Board as established by the community shall hear and render judgement on requests for variances from the requirements of this ordinance.
- B. The Appeal Board shall hear and render judgement on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the Floodplain Administrator in the enforcement or administration of this ordinance.
- C. Any person or persons aggrieved by the decision of the Appeal Board may appeal such decision in the courts of competent jurisdiction.
- D. The Floodplain Administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- E. 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 the remainder of this ordinance.
- F. Variances may be issued 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 the relevant factors in Section C(2) of this Article have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- G. Upon consideration of the factors noted above and the intent of this ordinance, the Appeal Board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this ordinance (Article 1, Section C).
- H. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- I. Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- J. Prerequisites for granting variances:
 1. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 2. Variances shall only be issued upon:

- (a) showing a good and sufficient cause;
 - (b) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and
 - (c) 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.
- 3. Any application to whom a variance is granted shall be given written notice that the structure will be permitted to be built with the 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.
- K. Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
 - 1. The criteria outlined in Article 4, Section D(1)-(9) are met, and
 - 2. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

3-32-1003-10-5 Provisions For Flood Hazard Reduction

- A. **GENERAL STANDARDS** - In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:
 - 1. All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - 2. All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
 - 3. All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
 - 4. All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - 5. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system;
 - 6. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters; and,
 - 7. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- B. **SPECIFIC STANDARDS** - In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) Article 3, Section B, (ii) Article 4, Section B(8), or (iii) Article 5, Section C(3), the following provisions are required:
 - 1. **Residential Construction** - new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to or above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the Floodplain Administrator that the standard of this subsection as proposed in Article 4, Section C(1)a., is satisfied.
 - 2. **Nonresidential Construction** - new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to or above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure 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. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are flood proofed shall be maintained by the Floodplain Administrator.

3. **Enclosures** - new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding 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 meet or exceed the following minimum criteria:

- a. 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.
- b. The bottom of all openings shall be no higher than one foot above grade.
- c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

4. **Manufactured Homes** –

- a. Require that all manufactured homes to be placed within Zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and 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. This requirement is in addition to applicable State and local anchoring requirements for resisting wind forces.
- b. Require that manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE 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 a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with Zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of paragraph (4) of this section be elevated so that either:
 - (1) the lowest floor of the manufactured home elevate to or above the base flood elevation, or
 - (2) 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 anchored foundation system to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles - Require that recreational vehicles placed on sites within Zones A1-30, AH, and AE on the community's FIRM either:

- a. be on the site for fewer than 180 consecutive days,
- b. be fully licensed and ready for highway use, or
- c. meet the permit requirements of Article 4, Section C(1), and the elevation and anchoring requirements for "manufactured homes" in paragraph (4) of this section. A recreational vehicle is ready for highway use if it is 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.

3-32-110C. STANDARDS FOR SUBDIVISION PROPOSALS –

- A. All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with Article 1, Sections B, C, and D of this ordinance.
- B. All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet Development Permit requirements of Article 3, Section C; Article 4, Section C; and the provisions of Article 5 of this ordinance.
- C. Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or 5 acres, whichever is lesser, if not otherwise provided pursuant to Article 3, Section B or Article 4, Section B (8) of this ordinance.
- D. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- E. All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

3-32-120D. FLOODWAYS

Floodways - located within areas of special flood hazard established in Article 3, Section B, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:

- A. Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway *unless* it has been demonstrated 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 within the community during the occurrence of the base flood discharge.
- B. If Article 5, Section E (1) above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 5.
- C. Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision through FEMA.

3-32-130-E. BELOW-GRADE RESIDENTIAL CRAWLSPACE CONSTRUCTION

- New construction and substantial improvement of any below-grade crawlspace shall:

- A. Have the interior grade elevation that is below base flood elevation no lower than two feet
- B. Have the height of the below-grade crawlspace measured from the interior grade of the crawlspace to the top of the foundation wall, not exceeding four feet at any point;
- C. Have an adequate drainage system that allows floodwaters to drain from the interior area of the crawlspace following a flood;
- D. Be anchored to prevent flotation, collapse, or lateral movement of the structure and be capable of resisting the hydrostatic and hydrodynamic loads;
- E. Be constructed with materials and utility equipment resistant to flood damage;
- F. Be constructed using methods and practices that minimize flood damage;
- G. Be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding
- H. 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 meet or exceed the following minimum criteria:
 - 1. A minimum of two opening 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;
 - 2. The bottom of all openings shall be no higher than one foot above grade
 - 3. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

3-32-140F. STANDARDS FOR ZONES WITHOUT BASE FLOOD ELEVATIONS AND/OR FLOODWAY (A ZONES) –

These standards apply in Special Flood Hazard Areas where streams exist but no base flood elevation data have been provided (A Zones), or where base flood data have been provided but a floodway has not been delineated.

- A. When base flood elevation or floodway data have not been identified by FEMA in a Flood Insurance Study and/or Flood insurance Rate Maps, then the Floodplain Administrator shall obtain, review, and reasonably utilize scientific or historic base flood elevation and floodway data available from a federal, state, or other source, in order to administer this ordinance. If data is not available from any source, only then the following provisions apply.
- B. In special flood hazard areas without base flood elevation data, new construction and substantial improvements of existing structures shall have the lowest floor of the lowest enclosed area (including basement or crawlspace) elevated no less than two feet above the highest adjacent grade at the building site. Openings sufficient to facilitate the unimpeded movement of flood waters shall be provided in accordance with the constructions standards in Section A and B (3) of this article.

3-32-160-G. 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. Violation 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 \$ 750.00 or imprisoned for not more than six months, 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 of Lander from taking such other lawful action as is necessary to prevent or remedy any violation.

3-32-170H. CERTIFICATION

It is hereby found and declared by the City of Lander that severe flooding has occurred in the past within its jurisdiction and will certainly occur within the future; that flooding is likely to result in infliction of serious personal injury or death, and is likely to result in substantial injury or destruction of property within its jurisdiction; in order to effectively comply with minimum standards for coverage under the National Flood Insurance Program; and in order to effectively remedy the situation described herein, it is necessary that this ordinance become effective immediately. Therefore, an emergency is hereby declared to exist, and this ordinance, being necessary for the immediate preservation of the public peace, health and safety, shall be in full force and effect from and after its passage and approval.

SECTION 3: SEVERABILITY.

If any section, subsection, sentence, or clause of this ordinance is found to be invalid or unconstitutional, such invalidity shall not affect the remaining provisions.

SECTION 4: This Ordinance shall take effect from and after its passage, approval and publication as required by law and the ordinances of the City of Lander.

PUBLIC HEARING

PASSED ON FIRST READING

PASSED ON SECOND READING

PASSED ON THIRD READING

PASSED, ADOPTED AND APPROVED by the Mayor and City Council on
the _____.

THE CITY OF LANDER
A Municipal Corporation

By _____
Missy White, Mayor

ATTEST:

Rachelle Fontaine, City Clerk

STATE OF WYOMING)
)ss.
COUNTY OF FREMONT)

CERTIFICATE

I hereby certify that on _____, following passage, adoption and approval of Ordinance 2025-5, Missy White, the duly elected, qualified and acting Mayor of the City of Lander, issued this proclamation and said ordinance was published at least once in the Lander Journal, a newspaper of general circulation within Lander, Wyoming, the effective date and publication being _____.

Rachelle Fontaine, City Clerk