

**CITY OF MONROE  
ORDINANCE NO. 018/2017**

AN ORDINANCE OF THE CITY OF MONROE,  
WASHINGTON, AMENDING CHAPTER 14.01 OF THE  
MONROE MUNICIPAL CODE, FLOOD HAZARD AREA  
REGULATIONS, PROVIDING FOR SEVERABILITY AND  
ESTABLISHING AN EFFECTIVE DATE

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WHEREAS, the City of Monroe, Washington, is a participant in the National Flood Insurance Program; and

WHEREAS, as a participant in the National Flood Insurance Program, the City of Monroe is required to enact certain regulations as outlined in 44 CFR 60.3 and WAC 173-158; and

WHEREAS, a Community Assistance Visit conducted by the Washington State Department of Ecology on November 10, 2015; and

WHEREAS, during the Community Assistance Visit necessary changes to the City of Monroe's Flood Hazard Area Regulations were identified.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MONROE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Findings. The City Council hereby adopts the above recitals and the content of Agenda Bill Nos. 17-118 and AB17-XXX as legislative findings in support of this ordinance.

Section 2. Amendment of MMC 14.01.050. Monroe Municipal Code (MMC) Section 14.01.050, Floodplain Regulations - Flood Hazard Area Regulations – Basis for establishing the areas of special flood hazard, is hereby amended as follows:

~~[THE AREAS OF SPECIAL FLOOD HAZARD]~~**Areas of special flood hazard for portions of the City of Monroe covered by map panels 1100, 1377, 1380, and 1385 identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Rate Study for Snohomish County, Washington and Incorporated Areas," dated November 8, 1999, with accompanying Flood Insurance Rate Maps (FIRMs), are adopted by reference and declared to be a part of this chapter.**

**Areas of special flood hazard for portions of the City of Monroe covered by map panels 1070, 1357, 1360, and 1376** identified by the Federal Insurance Administration in a scientific and engineering report entitled "The Flood Insurance Study for Snohomish County, Washington and Incorporated Areas," dated September 16, 2005, and any revisions thereto, with accompanying Flood Insurance Rate Maps (FIRMs), are adopted by reference and declared to be a part of this chapter. The Flood Insurance Stud[~~Y~~]**ies**

shall be on file in the office of the city engineer, 806 West Main Street, Monroe, Washington.

Section 3. Amendment of MMC 14.01.090. Monroe Municipal Code (MMC) Section 14.01.090, Floodplain Regulations - Flood Hazard Area Regulations – Definitions d, is hereby amended to provide for changes to the definitions of Subsection C - "Area of special flood hazard," and Subsection U - "Substantial improvement" as follows:

C. "Area of special flood hazard" means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on **effective** maps always includes the letters A or V. The term "special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard."

U. "Substantial improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty percent of the assessed value of the structure, either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

[3]1. Any project for improvement of a structure to [~~COMPLY WITH EXISTING~~]**correct pre-cited existing violations of** state or local health, sanitary or safety code specifications which **have been previously identified by the local code enforcement official and which** are [~~SOLELY~~] **the minimum** necessary to assure safe living conditions; or

[4]2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

Section 4. Amendment of MMC 14.01.130(A)(3). Monroe Municipal Code (MMC) Subsection 14.01.130(A)(3), Floodplain Regulations - Flood Hazard Area Regulations – General Standards, is hereby amended as follows:

3. Utilities.

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

**b. Water wells shall be located outside of the floodway.**

[B]c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

[G]d. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

Section 5. Adoption of MMC 14.01.155. Monroe Municipal Code (MMC) Section 14.01.155, Floodplain Regulations - Flood Hazard Area Regulations – Density Fringe Areas, is hereby adopted as follows:

**14.01.155 Density fringe areas.**

**Development within areas designated as density fringe areas within the city of Monroe will be regulated the same as other areas of special flood hazard located within floodways.**

Section 6. Adoption of MMC 14.01.190. Monroe Municipal Code (MMC) Section 14.01.190, Floodplain Regulations - Flood Hazard Area Regulations – Severability, is hereby adopted as follows:

**14.01.190 Severability.**

**If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this chapter.**

Section 7. Severability. Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by State or federal law or regulation, such decision or pre-emption shall not affect the validity or enforceability of the remaining portions of this ordinance or its application to other persons or circumstances.

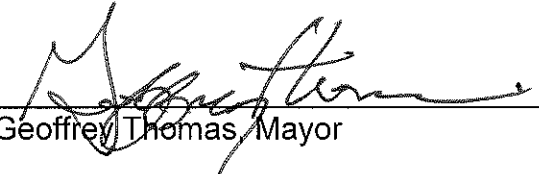
Section 8. Effective Date; Department of Ecology Review. A summary of this ordinance shall be published in the City's official newspaper. Pursuant to RCW 173-158-084, a copy of this ordinance shall be filed with the Department of Ecology and shall take effect 30 days from the date of such filing unless disapproved in writing by the Department.

PASSED by the City Council and APPROVED by the Mayor of the City of Monroe,  
at a regular meeting held this 25<sup>th</sup> day of July, 2017.

First Reading: July 18, 2017  
Adoption: July 25, 2017  
Published: July 28, 2017  
Effective: August 2, 2017


CITY OF MONROE, WASHINGTON:

(SEAL)

  
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Geoffrey Thomas, Mayor

ATTEST:

APPROVED AS TO FORM:

  
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Elizabeth M. Adkisson, MMC, City Clerk

  
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J. Zachary Lell, City Attorney