

**CONSTRUCTION IN AREAS SUBJECT TO FLOODING
(COUNTY COUNCIL BILL 40-15) EFFECTIVE JULY 1, 2015**

PART 123 CONSTRUCTION IN FLOOD HAZARD AREAS GENERALLY.

ALL PERMITTED ACTIVITY IN A FLOOD HAZARD AREA SHALL BE SUBJECT TO THE LEGAL REQUIREMENTS SET FORTH IN SECTION 32-4-414 OF ARTICLE 32, TITLE 4 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED TITLED, FLOODPLAIN AND WETLAND PROTECTION AND ARTICLE 32, TITLE 8 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED, TITLED FLOODPLAIN MANAGEMENT AS WELL AS THE REQUIREMENTS OF THIS CODE.

PART 123.1 SELECTED DEFINITIONS.

1. **SUBSTANTIAL IMPROVEMENT** – ANY REPAIR, RECONSTRUCTION, ALTERATION, OR IMPROVEMENT OF A STRUCTURE, THE COST OF WHICH EQUALS OR EXCEEDS 50% OF THE MARKET VALUE OF THE STRUCTURE (LESS LAND VALUE) EITHER: (A) BEFORE THE IMPROVEMENT OR REPAIR IS STARTED; OR (B) IF THE STRUCTURE INCURRED SUBSTANTIAL DAMAGE AND HAS BEEN RESTORED, BEFORE THE DAMAGE OCCURRED, SUBSTANTIAL IMPROVEMENT OCCURS WHEN THE FIRST ALTERATION OF ANY WALL, CEILING, FLOOR, OR OTHER STRUCTURAL PART OF THE BUILDING COMMENCES. THE MINIMUM REPAIRS NEEDED TO CORRECT PREVIOUSLY IDENTIFIED VIOLATIONS OF LOCAL HEALTH, SAFETY, OR SANITARY CODES, AND ALTERATIONS TO HISTORIC STRUCTURES WHICH DO NOT PRECLUDE THEIR CONTINUED DESIGNATION AS HISTORIC STRUCTURES ARE NOT CONSIDERED SUBSTANTIAL IMPROVEMENTS. THESE BUILDINGS OR ADDITIONS SHALL BE DESIGNED AND ADEQUATELY ANCHORED TO PREVENT FLOTATION, COLLAPSE, OR LATERAL MOVEMENT OF THE STRUCTURE WITH MATERIALS RESISTANT TO FLOOD DAMAGE.
2. **REPETITIVE LOSS** – FLOOD RELATED DAMAGE SUSTAINED BY A STRUCTURE ON TWO SEPARATE OCCASIONS DURING A 10-YEAR PERIOD FOR WHICH THE COST OF REPAIRS AT THE TIME OF EACH SUCH FLOOD EVENT, ON THE AVERAGE, EQUALS OR EXCEEDS 25% OF THE MARKET VALUE OF THE STRUCTURE BEFORE THE DAMAGE OCCURRED.
3. **HISTORIC STRUCTURE:** ANY STRUCTURE THAT IS:
 - (A) INDIVIDUALLY LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES (A LISTING MAINTAINED BY THE U.S. DEPARTMENT OF INTERIOR) OR PRELIMINARILY DETERMINED BY THE SECRETARY OF THE INTERIOR AS MEETING THE REQUIREMENTS FOR INDIVIDUAL LISTINGS ON THE NATIONAL REGISTER;
 - (B) 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;
 - (C) INDIVIDUALLY LISTED ON THE MARYLAND REGISTER OF HISTORIC PLACES; OR
 - (D) INDIVIDUALLY LISTED ON THE INVENTORY OF HISTORIC PLACES MAINTAINED BY BALTIMORE COUNTY WHOSE HISTORIC PRESERVATION PROGRAM HAS BEEN CERTIFIED BY THE MARYLAND HISTORICAL TRUST OR THE SECRETARY OF THE INTERIOR

PART 123.2 BUILDING APPLICATION REQUIREMENTS. THE APPLICATION FOR A BUILDING PERMIT SHALL CONTAIN ALL INFORMATION, MAPS, AND PLANS DEEMED APPROPRIATE BY THE DEPARTMENT INCLUDING THE DELINEATION OF THE 100-YEAR FLOOD ELEVATION AND BOUNDARY AND THE PROPOSED ELEVATION OF THE LOWEST FLOOR AND METHOD OF ELEVATION, IF APPLICABLE.

PART 123.3 ELEVATION CERTIFICATIONS. ALL APPLICANTS SHALL AGREE IN WRITING TO PROVIDE TWO ELEVATION CERTIFICATES COMPLETED BY A PROFESSIONAL LAND SURVEYOR. THE FIRST ELEVATION CERTIFICATE SHALL BE PROVIDED AT THE COMPLETION OF THE FIRST FLOOR DECK CERTIFYING THAT THE LOWEST OCCUPIED FLOOR OF THE STRUCTURE IS AT OR ABOVE THE FLOOD PROTECTION ELEVATION. THE SECOND ELEVATION CERTIFICATE SHALL BE PROVIDED AT THE FINAL INSPECTION AND SHALL INCLUDE ALL APPLICABLE DATA REQUIRED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY TO BE INCLUDED IN THE ELEVATION CERTIFICATE AT THE TIME OF FINISHED CONSTRUCTION. ALL ELEVATIONS SHALL BE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (“NAVD 88”).

PART 123.4 OCCUPANCY LIMITATIONS. FOR ENCLOSED AREAS BELOW THE FLOOD PROTECTION ELEVATION A **NON-CONVERSION AGREEMENT OR DECLARATION OF LAND RESTRICTION** MAY BE REQUIRED RESTRICTING THE USE OF ENCLOSED AREAS BELOW THE FLOOD ELEVATION. IF AN IMPROVEMENT TO AN EXISTING STRUCTURE IS PROPOSED, ADEQUATE INFORMATION ON THE COST OF THE IMPROVEMENT AND THE MARKET VALUE OF THE STRUCTURE BEFORE THE IMPROVEMENT MUST BE SUPPLIED TO THE DEPARTMENT TO ALLOW A DETERMINATION OF SUBSTANTIAL IMPROVEMENT. THE DEPARTMENT MAY USE TAX ASSESSMENT RECORDS TO DETERMINE SUBSTANTIAL IMPROVEMENT.

PART 123.5 FLOOD RESISTANT DESIGN AND CONSTRUCTION. IN ADDITION TO REQUIREMENTS SET FORTH IN PART 123 OF THIS CODE, THE DESIGN AND CONSTRUCTION OF BUILDINGS AND STRUCTURES, INCLUDING PLUMBING AND ELECTRICAL INSTALLATIONS, LOCATED IN A FLOOD HAZARD AREA SHALL ALSO COMPLY WITH ASCE/SEI 24-14.

PART 123.6 100-YEAR FLOOD PLAIN SITE PLAN REQUIRED. A MARYLAND LICENSED ENGINEER OR MARYLAND REGISTERED PROFESSIONAL LAND SURVEYOR SHALL PROVIDE A SIGNED AND SEALED SITE PLAN FOR ALL CONSTRUCTION LOCATED IN A 100-YEAR FLOOD PLAIN. INFORMATION ON THE SITE PLAN SHALL SHOW OR CONTAIN:

1. SIZE AND LOCATION OF NEW CONSTRUCTION AND EXISTING STRUCTURES ON THE SITE AND DISTANCES FROM LOT LINES;
2. DELINEATION OF ALL FLOOD HAZARD AREAS, FLOODWAY BOUNDARIES AND FLOOD ZONES, AND THE DESIGN FLOOD ELEVATION, AS APPROPRIATE;
3. BASE FLOOD ELEVATION;
4. REQUIRED FLOOD PROTECTION ELEVATION;
5. ELEVATION CONTOUR LINES;
6. ELEVATION OF THE PROPOSED LOWEST FLOOR;
7. STRUCTURE LOCATION AND ORIENTATION ON LOT SO AS TO MINIMIZE FLOOD DAMAGE;
8. DRAINAGE PLAN SO AS TO REDUCE EXPOSURE TO FLOOD HAZARDS;
9. A SITE PLAN DRAWN TO SCALE, NO SMALLER THAN 1” = 30’;
10. A SITE PLAN SIGNED AND SEALED (ORIGINAL SEAL AND SIGNATURE) BY A STATE OF MARYLAND REGISTERED CIVIL ENGINEER OR SURVEYOR;
11. A MINIMUM OF 3 ORIGINAL SITE PLANS PROVIDED AT TIME OF PERMIT APPLICATION. THESE SHALL BE SEPARATE FROM ANY SITE PLANS REQUIRED BY PERMIT PROCESSING; AND
12. IN ADDITION TO BEING SHOWN AS PART OF THE SITE PLAN, THE BASE FLOOD, DESIGN FLOOD AND FLOOD PROTECTION ELEVATIONS SHALL ALSO BE CLEARLY NOTED SEPARATELY.

PART 124 AREAS SUBJECT TO TIDAL FLOODING.

PART 124.1 LOWEST FLOOR ELEVATIONS FOR NEW BUILDINGS. WHENEVER A NEW BUILDING IS CONSTRUCTED IN AREAS SUBJECT TO TIDAL FLOODING AS ESTABLISHED BY THE MOST RECENT FLOOD INSURANCE STUDY (“FIS”) AND FLOOD INSURANCE RATE MAP (“FIRM”) OF BALTIMORE COUNTY OR MORE RESTRICTIVE CRITERIA AS ESTABLISHED BY THE COUNTY, THE BUILDING’S LOWEST FLOOR SHALL NOT BE LOWER THAN THE ONE FOOT ABOVE THE FLOOD PROTECTION ELEVATION. THIS SECTION SHALL ALSO APPLY TO BUILDINGS THAT ARE REMOVED FROM THE 100-YEAR FLOODPLAIN BY THE USE OF FILL IN ACCORDANCE WITH SECTION 1804.4 OF THE INTERNATIONAL BUILDING CODE.

PART 124.2 LOWEST FLOOR ELEVATIONS FOR SUBSTANTIAL IMPROVEMENTS. WHENEVER SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS, INCLUDING ADDITIONS, ARE CONSTRUCTED, OR BUILDINGS EXPERIENCING REPETITIVE LOSS ARE LOCATED IN AREAS SUBJECT TO TIDAL FLOODING AS ESTABLISHED BY THE MOST RECENT FIS AND FIRM OF BALTIMORE COUNTY OR MORE RESTRICTIVE CRITERIA AS ESTABLISHED BY THE

COUNTY, THE BUILDING'S LOWEST FLOOR SHALL BE NOT LOWER THAN THE FLOOD PROTECTION ELEVATION ("FPE").

PART 124.3 BASEMENTS NOT PERMITTED. BASEMENTS (FLOORS BELOW GRADE ON ALL FOUR SIDES) ARE NOT PERMITTED FOR NEW BUILDINGS, FOR SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS, BUILDINGS EXPERIENCING REPETITIVE LOSS OR FOR ADDITIONS. NEW BASEMENTS ARE NOT PERMITTED BELOW EXISTING BUILDINGS. AN AREA BENEATH A BUILDING WILL NOT BE CONSIDERED A BASEMENT OR THE LOWEST FLOOR IF IT MEETS THE FOLLOWING CRITERIA.

1. THE AREA CONTAINS NO MACHINERY OR EQUIPMENT. FULLY ENCLOSED AREAS BELOW THE FLOOD PROTECTION ELEVATION (FPE) SHALL BE USED SOLELY FOR PARKING VEHICLES, ACCESS TO THE BUILDINGS, OR STORAGE. BUT ONLY IF SUCH AREAS ARE ENCLOSED, AND A DECLARATION OF LAND RESTRICTION IS RECORDED.
2. THE AREA IS CONSTRUCTED WITH OPENINGS (EXCLUDING DOORS) TO ALLOW THE AUTOMATIC PASSAGE OF FLOOD WATERS AND EQUALIZATION OF WATER PRESSURES AND WHICH SATISFY THE FOLLOWING REQUIREMENTS:
 - A. A MINIMUM OF TWO OPENINGS ON SEPARATE SIDES OF THE STRUCTURE 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 DEVICES, PROVIDED THAT THEY PERMIT AUTOMATIC ENTRY AND EXIT OF FLOODWATER.
 - D. OTHER DESIGNS FOR MEETING THESE CRITERIA MUST BE CERTIFIED BY A LICENSED PROFESSIONAL ENGINEER.
3. THE AREA IS CONSTRUCTED OF FLOOD-RESISTANT MATERIALS BELOW THE FPE AND A **DECLARATION OF LAND RESTRICTION IS RECORDED.**
4. THE FLOOR LEVEL IS AT OR ABOVE EXISTING GRADE ON AT LEAST ONE SIDE. IN ADDITION, A **NON-CONVERSION AGREEMENT OR DECLARATION OF LAND RESTRICTION** WILL BE REQUIRED FOR CRAWL SPACES MORE THAN 4 FEET IN HEIGHT.

PART 124.4 ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300 SQUARE FEET. WHERE FEASIBLE, ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300 SQUARE FEET SHOULD BE LOCATED OUT OF THE FLOODPLAIN OR ELEVATED TO OR ABOVE THE FLOOD PROTECTION ELEVATION (FPE). WHEN THESE MEASURES ARE NOT FEASIBLE, THE FOLLOWING APPLY:

1. THE FLOOR OF THE STRUCTURE MUST BE AT OR ABOVE GRADE.
2. THE STRUCTURE MUST BE LOCATED, ORIENTED, AND CONSTRUCTED SO AS TO MINIMIZE FLOOD DAMAGE; AND
3. THE STRUCTURE MUST BE FIRMLY ANCHORED TO PREVENT FLOTATION. IN ADDITION, A NON-CONVERSION OR DECLARATION OF LAND RESTRICTION WILL BE REQUIRED FOR ACCESSORY STRUCTURES AND GARAGES GREATER THAN 300 SQUARE FEET.

PART 124.5 ATTACHED AND DETACHED GARAGES AND ACCESSORY STRUCTURES MEETING PART 124.3 REQUIREMENTS. ACCESSORY STRUCTURES OR GARAGES USED SOLELY FOR PARKING VEHICLES AND LIMITED STORAGE AND MEETING THE COUNTY'S VENTING REQUIREMENTS AND THE REQUIREMENTS OF PART 124.3 ABOVE, HAVING ALL INTERIOR WALLS, CEILINGS, AND FLOOR ELEMENTS BELOW THE FLOOD PROTECTION ELEVATION (FPE) UNFINISHED, AND CONTAINING NO MACHINERY, ELECTRIC DEVICES, OR APPLIANCES LOCATED BELOW THE FLOOD PROTECTION ELEVATION, (FPE) SHALL BE SUBJECT TO THE FOLLOWING CONTINGENCIES OR RESTRICTIONS.

1. STRUCTURES OR GARAGES WHICH ARE 300 SQUARE FEET OR LESS IN AREA SHALL BE PERMITTED WITH A **NON-CONVERSION AGREEMENT**;
2. STRUCTURES OR GARAGES WHICH ARE GREATER THAN 300 SQUARE FEET BUT LESS THAN OR EQUAL TO 900 SQUARE FEET IN AREA SHALL ONLY BE PERMITTED WITH A **NON-CONVERSION AGREEMENT OR RECORDED DECLARATION OF LAND RESTRICTION**, AND
3. STRUCTURES OR GARAGES, WHICH EXCEED 900 SQUARE FEET IN AREA, SHALL NOT BE PERMITTED.

PART 124.6 MANUFACTURED HOMES, MANUFACTURED BUILDINGS, AND ADDITIONS THERETO. MANUFACTURED HOMES, MANUFACTURED BUILDINGS, AND ADDITIONS THERETO MUST SATISFY THE FOLLOWING REQUIREMENTS IF AVAILABLE:

1. MANUFACTURED HOMES, OR MANUFACTURED BUILDINGS, OR ADDITIONS THERETO ON SITES WITHIN A FLOOD ZONE (I) OUTSIDE OF A MANUFACTURED HOME PARK OR SUBDIVISION OR (II) IN AN EXISTING MANUFACTURED HOME PARK SHALL BE ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE FLOOD PROTECTION ELEVATION (FPE).
2. WHERE A MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR ADDITION THERETO IS TO BE ELEVATED TO ESTABLISH A LOWEST FLOOR ABOVE THE FLOOD PROTECTION ELEVATION (FPE), IT MUST BE ELEVATED ON A PERMANENT FOUNDATION AND MUST BE SECURELY ANCHORED TO AN ADEQUATELY ANCHORED FOUNDATION SYSTEM TO RESIST FLOTATION, COLLAPSE, AND LATERAL MOVEMENT. METHODS OF ANCHORING MAY INCLUDE, BUT ARE NOT LIMITED TO, USE OF OVER-THE-TOP OR FRAME TIES TO GROUND ANCHORS.
3. IN THE FLOODPLAIN AREA, THE MINIMUM WIND FORCE APPLICABLE TO THE DESIGN OF ANCHORAGE AND TIE-DOWN FACILITIES FOR MANUFACTURED HOMES, OR MANUFACTURED BUILDINGS OR ADDITIONS THERETO SHALL BE NINETY (90) MILES PER HOUR.
4. FOR EACH SITE WITHIN A FLOODPLAIN ON WHICH AN EXISTING MANUFACTURED HOME, OR MANUFACTURED BUILDING, OR ADDITION THERETO, INCURS "SUBSTANTIAL DAMAGE" AS A RESULT OF A FLOOD, THE UNIT MUST, UPON REPLACEMENT OR REPAIR, BE ELEVATED ON A PERMANENT FOUNDATION SO THAT THE LOWEST FLOOR OF EACH MANUFACTURED UNIT OR ADDITION WILL BE AT OR ABOVE THE FLOOD PROTECTION ELEVATION (FPE) IN FULL COMPLIANCE WITH SUBSECTIONS 1. AND 2. ABOVE.

PART 124.7 RECREATIONAL VEHICLES. A RECREATIONAL VEHICLE WHICH REMAINS ON A SITE FOR MORE THAN 180 CONSECUTIVE DAYS SHALL BE CONSIDERED A MANUFACTURED HOME OR MANUFACTURED BUILDING AND SHALL COMPLY WITH ALL REGULATIONS.

PART 124.8 NEW AND REPLACEMENT UTILITY SYSTEMS. NEW OR REPLACEMENT UTILITY SYSTEMS, INCLUDING BUT NOT LIMITED TO WATER SUPPLY, SANITARY SEWAGE, ELECTRIC, GAS, AND OIL, MUST BE DESIGNED TO MINIMIZE OR ELIMINATE INFILTRATION OF FLOOD WATERS INTO THE SYSTEMS AND DISCHARGES FROM THE SYSTEMS INTO FLOOD WATERS, AND ONSITE WASTE DISPOSAL SYSTEMS MUST BE LOCATED SO AS TO AVOID IMPAIRMENT OR CONTAMINATION DURING FLOODING AND SHALL SATISFY THE FOLLOWING REQUIREMENTS IF APPLICABLE:

1. SEPTIC TANKS MUST BE ADEQUATELY ANCHORED TO PREVENT FLOTATION.
2. IN ALL FLOOD-RESISTANT CONSTRUCTION OR WHERE AN EXISTING BUILDING IS UNDERGOING SUBSTANTIAL IMPROVEMENT, THE FOLLOWING REQUIREMENTS SHALL APPLY:
 - A. ELECTRIC WATER HEATERS, ELECTRIC FURNACES, GENERATORS, HEAT PUMPS, AIR CONDITIONERS, AND OTHER PERMANENT ELECTRICAL INSTALLATIONS, VENTILATION AND OTHER SERVICE FACILITIES SHALL BE PERMITTED ONLY AT OR ABOVE THE FLOOD PROTECTION ELEVATION.
 - B. NO ELECTRICAL DISTRIBUTION PANELS SHALL BE PERMITTED AT AN ELEVATION LESS THAN TWO (2) FEET ABOVE THE FLOOD PROTECTION ELEVATION.
 - C. ALL FURNACES, WATER HEATERS, AND OTHER PERMANENT MECHANICAL INSTALLATIONS SHALL BE PERMITTED ONLY AT OR ABOVE THE FLOOD PROTECTION ELEVATION.

PART 124.9 NEW AND SUBSTANTIALLY IMPROVED NON-RESIDENTIAL STRUCTURES. NEW OR SUBSTANTIALLY IMPROVED NON-RESIDENTIAL STRUCTURES LOCATED IN THE TIDAL FLOODPLAIN MAY BE FLOODPROOFED TO THE FLOOD PROTECTION ELEVATION. UNDER THIS OPTION, THE OWNER MUST HAVE A PROFESSIONAL ENGINEER OR ARCHITECT SUBMIT A FULLY EXECUTED **FLOODPROOFING CERTIFICATE** TO THE COUNTY PRIOR TO THE APPROVAL OF THE CONSTRUCTION BY ANY BUILDING OFFICIAL OF BALTIMORE COUNTY.

PART 124.10 NEW AND EXISTING OIL, GAS AND PROPANE TANKS. ALL NEW AND EXISTING OIL, GAS AND PROPANE TANKS SHALL BE ANCHORED TO PREVENT FLOATATION, COLLAPSE AND LATERAL MOVEMENT UNDER FLOOD CONDITIONS BY MEANS OF AN APPROVED ENGINEERED ANCHORAGE SYSTEM OR SHALL BE INSTALLED AT/OR ABOVE THE FLOOD PROTECTION ELEVATION AND SHALL BE SET UPON A FIRM FOUNDATION AND SUPPORTS TO PREVENT FLOATATION, COLLAPSE AND LATERAL MOVEMENT UNDER FLOOD CONDITIONS. IT SHALL BE UNLAWFUL TO FILL OR REFILL ANY SUCH TANK THAT IS NOT SO ANCHORED OR ELEVATED.

PART 124.11 NEW OR REPLACED OIL TANKS. ALL NEW OR REPLACED OIL TANKS SHALL HAVE THEIR VENT PIPE AND NON-LIQUID TIGHT FILL CONNECTION TERMINATION POINT AT LEAST TWO FEET ABOVE THE FLOOD PROTECTION ELEVATION. THIS PROVISION SHALL ALSO APPLY TO SUBSTANTIAL IMPROVEMENT BUILDINGS AND BUILDINGS EXPERIENCING A REPETITIVE LOSS. VENT AND FILL PIPE SUPPORT SHALL BE IN ACCORDANCE WITH SECTION 305 OF THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION.

PART 124.12 FUEL OIL SYSTEMS. FUEL OIL SYSTEM INSTALLATION SHALL COMPLY WITH SECTION 1305 OF THE INTERNATIONAL MECHANICAL CODE, 2015 EDITION, UNLESS OTHERWISE MODIFIED BY THIS CODE.

PART 125 AREAS SUBJECT TO INUNDATION BY RIVERINE SURFACE WATERS WITHIN THE 100-YEAR FLOODPLAIN.

PART 125.1 NO NEW BUILDINGS OR ADDITIONS. NO NEW BUILDINGS OR ADDITIONS SHALL BE CONSTRUCTED IN ANY RIVERINE FLOODPLAIN. THE 100-YEAR FLOODPLAIN SHALL BE BASED UPON THE FEDERAL FLOOD INSURANCE STUDY OR AS ESTABLISHED BY THE DIRECTOR OF PUBLIC WORKS, WHICHEVER IS THE MORE RESTRICTIVE. THIS DETERMINATION SHALL INCLUDE PLANNED FUTURE DEVELOPMENT OF THE WATERSHED AREA.

PART 125.2 RECONSTRUCTION OR REPAIR OF EXISTING BUILDINGS. RECONSTRUCTION OR REPAIR OF EXISTING BUILDINGS SHALL BE GOVERNED BY PART 121 "UNSAFE STRUCTURES AND EQUIPMENT". ALL SUBSTANTIAL IMPROVEMENTS TO EXISTING BUILDINGS SHALL BE PERMITTED ONLY ON THE BASIS OF AN APPROVED WAIVER IN ACCORDANCE WITH ARTICLE 32, TITLE 8, SUBTITLE 3 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED "WAIVERS", AND SHALL BE SUBJECT TO ALL APPLICABLE CONDITIONS OF SECTION 32-8-207 OF THE BALTIMORE COUNTY CODE, 2003, AS AMENDED, AND THE REQUIREMENTS OF THIS CODE WHERE REPLACEMENT STRUCTURES CANNOT BE RELOCATED OUT OF THE FLOODPLAIN, THEY SHALL BE LIMITED TO THE FOOTPRINT OF THE PREVIOUS STRUCTURE. ALL SUBSTANTIALLY IMPROVED STRUCTURES, INCLUDING MANUFACTURED HOMES, SHALL HAVE THE LOWEST FLOOR ELEVATED TO OR ABOVE THE FLOOD PROTECTION ELEVATION. THE LOWEST FLOOR ELEVATION FOR HOUSES OR BUILDINGS ADJACENT TO A RIVERINE FLOODPLAIN SHALL BE TWO FEET ABOVE THE BASE FLOOD ELEVATION.

ADDITIONAL IRC AND IBC CODE REQUIREMENTS FOR FLOOD RESISTANT MATERIALS

(IRC) R322 & (IBC) 1403.6 FLOOD RESISTANT MATERIALS. BUILDING MATERIALS USED BELOW THE DESIGN FLOOD ELEVATION SHALL COMPLY WITH THE ABOVE APPLICABLE CODES.