

COMMISSIONERS OF OXFORD

Ordinance No. 2416

Introduced by: Marilyn Williams

Date: September 24, 2024

AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND THE FLOODPLAIN MANAGEMENT ORDINANCE TO REVISE THE DEFINITION OF "SUBSTANTIAL IMPROVEMENT" REMOVING THE DATE OF "JULY 1, 2013" AND SUBSTITUTING "THE PREVIOUS FIVE (5) YEARS (1,825 DAYS)" AND TO REVISE THE DEFINITION OF "AGREEMENT TO SUBMIT AN ELEVATION CERTIFICATE" TO REMOVE THE REQUIREMENT FOR A FLOOD ELEVATION CERTIFICATE UPON PLACEMENT OF THE LOWEST FLOOR AND SUBSTITUTING THE REQUIREMENT FOR WRITTEN CONFIRMATION OF LOWEST FLOOR HEIGHT FROM A LICENSED ENGINEER OR SURVEYOR.

Introduced, read first time, ordered posted, and public hearing scheduled on **October 22, 2024 at 6:00 p.m.** at the Oxford Town Meeting Room, Market Street, Oxford, Maryland 21654.

By Order _____
Vickie Sharp, Clerk/Treasurer

I hereby certify that the foregoing **Ordinance No. 2416** of the Town of Oxford was duly read, advertised, and enacted in accordance with the applicable provisions of the Charter of the Town of Oxford on this _____ day of _____, 2024.

Attest: _____
Vickie Sharp, Clerk/Treasurer
Town of Oxford

COMMISSIONERS OF OXFORD

ORDINANCE NUMBER 2416

INTRODUCED BY: Marilyn Williams

DATE OF INTRODUCTION: September 24, 2024

AN ORDINANCE OF THE TOWN OF OXFORD TO AMEND THE FLOODPLAIN MANAGEMENT ORDINANCE TO REVISE THE DEFINITION OF “SUBSTANTIAL IMPROVEMENT” REMOVING THE DATE OF “JULY 1, 2013” AND SUBSTITUTING “THE PREVIOUS FIVE (5) YEARS” AND TO REVISE THE DEFINITION OF “AGREEMENT TO SUBMIT AN ELEVATION CERTIFICATE” TO REMOVE THE REQUIREMENT FOR A FLOOD ELEVATION CERTIFICATE UPON PLACEMENT OF THE LOWEST FLOOR AND SUBSTITUTING THE REQUIREMENT FOR WRITTEN CONFIRMATION OF LOWEST FLOOR HEIGHT FROM A LICENSED ENGINEER OR SURVEYOR.

WHEREAS, the Commissioners of Oxford are authorized by the Maryland Annotated Code, Title 4 of the Land Use Article to provide regulations for the orderly development and use of land and structures, and to promote the general health, safety and welfare of its citizens; and

WHEREAS, the Commissioners of Oxford, by resolution, agreed to meet all of the requirements of the National Flood Insurance Program and was accepted for participation in the program on September 28, 1984; and

WHEREAS, the Commissioners of Oxford adopted an updated Floodplain Management Ordinance by Ordinance 1609 in 2016; and

WHEREAS, the Commissioners of Oxford recognize that using the date of July 1, 2013 to establish whether reconstruction, rehabilitation, addition and other improvements to a structure constitute a Substantial Improvement constitutes an excessive timeframe; and

WHEREAS, the Commissioners of Oxford also recognize that the requirement of a formal Flood Elevation Certificate for a foundation check, or upon the placement of the lower floor, presents an unnecessary burden on homeowners and is not required for participation in the National Flood Insurance Program (NFIP); and

WHEREAS, the Commissioners of Oxford have determined that it is desirable and in the public interest to amend the Floodplain Management Ordinance to revise §2.0 Definitions;

NOW THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF OXFORD AS FOLLOWS:

Section 1: The Oxford Floodplain Management Ordinance, Section 2.0 is hereby amended as follows:

Substantial Improvement: Any reconstruction, rehabilitation, addition, or other improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the start of construction of the improvement. ~~Improvements have been tracked since July 1, 2013.~~ When cumulative improvements made ~~since July 1, 2013~~ **within the previous five (5) years (1,825 days)** to a building or a structure become substantial, the entire building or structure must be brought into compliance. The term 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 building or 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 prior to submission of an application for a permit and which are the minimum necessary to assure safe living 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.

[Note: See "Substantial Improvement/Substantial Damage Desk Reference" (FEMA P-758).]

Agreement to Submit an Elevation Certificate: A form on which the applicant for a permit to construct a building or structure, to construct certain horizontal additions, to place or replace a manufactured home, to substantially improve a building, structure, or manufactured home, agrees to have an Elevation Certificate prepared by a licensed professional engineer or licensed professional surveyor, as specified by the Floodplain Administrator, and to submit the certificate:

- (1) With a building permit application; **and**
- ~~(2) Upon placement of the lowest floor and prior to further vertical construction; and~~
- ~~(3)~~ **(2)** Prior to the final inspection and issuance of the Certificate of Occupancy.

In accordance with adopted Building Codes and floodplain management practices, written confirmation of the actual elevation of the lowest floor is required from a licensed professional engineer or licensed professional surveyor upon placement of the lowest floor and prior to further vertical construction.

Section 2. This ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and on the ____ day of _____ 2024.

ENACTED this ____ day of _____, 2024.

COMMISSIONERS OF OXFORD:

Norman Bell, President

Tom Costigan, Commissioner

Katrina Greer, Commissioner

I hereby certify that the foregoing Ordinance Number 2416 of the Town of Oxford was duly read, advertised, and enacted with the applicable provisions of the Charter of the Town of Oxford on this ____ day of _____, 2024.

ATTEST:

Vickie Sharp, Clerk/Treasurer
Town of Oxford