

TITLE 2: NATURAL RESOURCES
DIVISION 7: BUILDING AND ZONING CODES

§ 7162. Duties and Responsibilities of the Floodplain Administrator.

The duties and responsibilities of the floodplain administrator shall include, but not be limited to:

(a) *Permit Review.* Review of all applications for building permits to determine:

(1) That the permit requirements of the floodplain management program have been met.

(2) That the site is reasonably safe from flooding.

(3) That the proposed development does not adversely affect the carrying capacity of areas where base flood elevations have been determined but a floodway has not been designated. For the purposes of this chapter, “adversely affect” means that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will increase the water surface elevation of the base flood more than one foot at any point.

(b) The floodplain administrator shall, in addition to other duties specified in this chapter:

(1) Assist the administrator of the Federal Emergency Management Administration, at his request, in the delineation of the limits of the area having special flood, mudslide (i.e., mudflow) or flood-related erosion hazards;

(2) Provide such information as the administrator may request concerning present uses and occupancy of the floodplain, mudslide (i.e. mudflow), or flood-related erosion areas;

(3) Cooperate with federal agencies and private firms which undertake to study, survey, map, and identify floodplain, mudslide (i.e. mudflow), or flood-related erosion areas;

(4) Submit on the anniversary date of the Commonwealth’s initial eligibility an annual report to the administrator on the progress being made during the past year within the Commonwealth in the development and implementation of floodplain management measures;

(5) Maintain for public inspection and furnish, upon request, for the determination of applicable flood insurance risk premium rates within all areas having special flood hazards identified on a flood hazard boundary map or flood insurance rate map, any certificates of floodproofing and information on the elevation (in relation to mean sea level of the level of the lowest habitable floor, including basement if habitable) of all new or substantially improved structures, and include whether or not such structures contain a basement, and, if the structure has been floodproofed, the elevation (in relation to mean sea level) to which the structure was floodproofed.

(6) Take such other official action as may be reasonably necessary to carry out the objectives of the flood hazard design program.

(c) *Enforcement of Floodplain Regulations.* The floodplain administrator shall enforce all floodplain and flood insurance regulations issued under this chapter. The floodplain administrator shall coordinate enforcement actions with the building safety official as needed to meet the joint requirements of the building safety code and floodplain and flood insurance regulations issued under this chapter.

Source: PL 8-7, § 6, modified.

Commission Comment: To enhance clarity, in subsection (b)(5), after “new,” the Commission deleted “sub-” and inserted “or.”