

ORDINANCES
MILES CITY, MONTANA

ORDINANCE NO. 1358

**AN ORDINANCE AMENDING SECTION 12-53 OF THE CITY OF
MILES CITY FLOOD CODE WITH RESPECT TO AGRICULTURAL
STRUCTURES.**

BE IT ORDAINED, by the City Council of the City of Miles City, Montana, as follows:

Section 1. Sections 12-53 is hereby amended as follows:

Sec. 12-53. - Non-residential building, exceptions or additional requirements. New construction, alterations, and substantial improvements of non-residential including agricultural, commercial and industrial buildings and residential and non-residential accessory buildings must be constructed such that:

(1) Elevation of the lowest floor. The lowest floor of the building must be elevated two feet above the base flood elevation or adequately dry flood proofed according to this section. The lowest floor may be wet proofed provided the use is limited to only parking, loading and storage of equipment or materials not appreciably affected by floodwater; ((ARM 36.15.702(2) (44 CFR 60.3(c)(3)(ii)) (44 CFR 60.3(c)(3)&(4)))

(2) Enclosure. Enclosures below the lowest floor on elevated buildings must be wet flood proofed and the use must be limited to parking, access or storage or must be adequately dry flood proofed according to this Section;

(3) Manufactured homes. Manufactured homes proposed for use as non-residential buildings cannot be dry flood proofed; and

(4) Agricultural structures. ~~Agricultural structures not intended to be insurable; used solely for agricultural purposes, having low flood damage potential, used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities including raising of livestock, and not intended for human habitation are exempt from the elevation requirement, dry or wet flood proofing, but shall:~~

- ~~a. Be located on higher ground and as far from the channel as possible;~~
- ~~b. Offer minimal obstruction to flood flows;~~
- ~~c. Be adequately anchored to prevent flotation or collapse;~~
- ~~d. Where electrical, heating and plumbing systems are installed, meet the flood proofing requirements in sections 12-51(10), 12-51(11), and 12-51(12); and~~
- ~~e. Meet the elevation or dry flood proofing requirements if the structure is an animal confinement facility. ((ARM 36.15.602(9)) (ARM 36.15.701(3)(e)) (ARM 36.15.702(2)))~~

(4) Agricultural structures. The following additional requirements and exceptions from the requirements of Section 12-53 apply to agricultural structures. Agricultural structures not intended to be insurable, used solely for agricultural purposes, having low flood damage potential, used exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities including raising of livestock and animal confinement facilities, and not intended for human habitation:

- 1. Such structures may be exempted by the Floodplain Administrator from the Lowest Flood Elevation requirements established in Section 12-53.1 provided the Lowest Floor of the structures is elevated to at least the Base Flood Elevation or adequately dry floodproofed in conformance with the requirements of Section 12-51; and

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2. Such Structures shall comply with the requirements of Section 12-45.

((ARM 36.15.602(9) (ARM 36.15.701(3)(e)) (ARM 36.15.702(2))

Section 2. This Ordinance shall become effective thirty (30) days after its final passage.

Said Ordinance read and put on its passage this 26th day of July, 2022.



John Hollowell, Mayor

ATTEST:


Mary Rowe, City Clerk

FINALLY PASSED AND ADOPTED this 9th day of August, 2022.



John Hollowell, Mayor

ATTEST:


Mary Rowe, City Clerk