

**ARTICLE 6  
FLOODPLAIN MANAGEMENT ORDINANCE  
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**ARTICLE 6  
FLOODPLAIN MANAGEMENT**

**A. General Provisions.**

**1. Title.**

This article shall be known and identified as the Floodplain Management Ordinance of the City of Hagerstown.

**2. Findings.**

**a. Floodplains Are an Important Asset to the Community.** They perform vital natural functions such as temporary storage of floodwaters, moderation of peak flood flows, maintenance of water quality, groundwater recharge, prevention of erosion, habitat for diverse natural wildlife populations, recreational opportunities and aesthetic quality. These functions are best served if floodplains are kept in their natural state. Wherever possible, the natural characteristics of floodplains and their associated wetlands and water bodies should be preserved and enhanced.

**b. Approach.** This chapter provides a unified, comprehensive approach to floodplain management which addresses these natural floodplain functions and the federal and state programs concerned with floodplain management. These programs are the National Flood Insurance Program (44 CFR 59-79) and the state's Waterway Construction Permit Program for Nontidal Floodplains. Decisions to alter floodplains, especially floodways and stream channels, should be the result of careful planning processes which evaluate resource conditions and human needs.

**3. Construal of Provisions.**

This chapter supersedes any ordinance in effect in flood-prone areas. However, any other ordinance shall remain in full force to the extent that its provisions are more restrictive.

**4. Applicability.**

Any person or entity proposing to do any development within the floodplain zone regulated by this chapter must first obtain a permit for that development from the local permitting agency and must comply with all provisions of this chapter.

**5. Warning and Disclaimer of Liability.**

The degree of flood mitigation provided by this chapter is considered reasonable for regulatory purposes and is based on engineering experience and scientific methods of study. Floods of greater magnitude may occur or flood heights may be increased by man-made or natural causes. This chapter does not imply that flooding will not occur outside of the delineated floodplain zone, nor that permitted development and land uses within the floodplain will be free of flooding and associated flood damage. This chapter does not create liability on the part

of the city or any officer or employee thereof for any damage which may result from reliance on this chapter.

**6. Definitions.**

Article 3 of the Land Management Code shall govern all definitions as they apply to this article.

**B. Permit Procedures.**

**1. Permit Required.**

A permit is required for all development in a 100-year floodplain. It shall be granted only after all necessary permit applications are submitted to federal and state agencies. A permit shall not be issued by the local permitting official under this chapter until all necessary permits for development are obtained from the appropriate federal or state agencies.

**2. Permit Requirements.**

**a. Information.** Applications for a building or grading permit shall contain, at a minimum, the following information:

- (1) The name, address and phone number of the applicant (owner or agent of owner).
- (2) The name, address and phone number of the owner, if different.
- (3) The name, address and phone number of the contractor.
- (4) A legal description of the site.
- (5) Proposed uses for the site.
- (6) The type, dimensions and estimated cost of development proposed.
- (7) Site characteristics and improvements.
- (8) Other information deemed appropriate by the local permitting official.

**b. Site Plan.** All permit applications must have a site plan drawn to scale which shows:

- (1) Dimensions of the site.
- (2) The size and location of existing and proposed structures or alterations.
- (3) Setbacks.
- (4) Elevation contours in mean sea level (NGVD)
- (5) Delineation of the 100-year flood elevation and boundary.
- (6) The proposed elevation of the lowest floor and method of elevation, if applicable.

**c. Additional Plans.** The local permitting official may require plans for tree maintenance, stormwater management, revegetation, establishment of vegetated buffers and final grading as part of the permit application process.

**d. Elevation Certificate.** All applicants shall agree in writing to provide an elevation certificate completed by a registered professional engineer or surveyor to certify the as-built lowest floor of a structure which must be elevated to or above the flood protection elevation. An elevation certificate must be submitted before a certificate of use and occupancy or use may be issued. Work undertaken prior to submission of the certification is at the applicant's risk. For enclosed areas below the flood protection elevation, a non-conversion agreement may be required, in addition to an agreement to install water-equalizing vents as specified in Section E.3 of this Article.

- e. **Value of Improvements.** If an improvement to an existing structure is proposed, adequate information on the cost of the improvement and the market value of structure before the improvement must be supplied to the local permitting official to allow a determination of substantial improvement. The local permitting official may use tax assessment records to determine substantial improvement. In floodway areas, permits shall be tracked by property location to determine if the cumulative value of improvements constitutes substantial improvement of a structure.

### 3. **Subdivision Proposals.**

In addition to the information required in Section B.2, an applicant for subdivision in the floodplain shall submit a plan to demonstrate that a building site for each lot is outside of the 100-year floodplain. The plan for utility access, stormwater drainage structures, road access and other rights-of-way shall be evaluated in light of the site characteristics. The access road must be at or above the 100-year-flood elevation.

### 4. **Issuance of Permit.**

#### a. **Considerations.**

- (1) Prior to issuance of a permit, the local permitting official shall confirm the location of the project relative to floodways and floodplains and shall note on the permit the proper elevation to which the lowest floor of proposed structures must be elevated. In approximate floodplains where a 100-year-flood elevation is not available, the applicant shall be required to obtain such elevation. The applicant must agree to secure all other required permits, an elevation certificate, floodproofing certificate, engineering analysis or other required verifications deemed appropriate by the local permitting official.
- (2) Permits shall be granted by the local permitting official only after determining that the proposed development will be in complete conformance with the requirements of this chapter and all other applicable local codes and ordinances. All other necessary permits or approvals must be applied for or granted. Permits are valid only after all other necessary permits are granted.

- b. **Dam Safety.** The applicant is urged to exercise caution when proposed improvements are to be located downstream of existing or proposed dams. The condition of the dam, as well as the design criteria, hazard class and the danger reach, should be investigated by the applicant to avoid increasing potential hazards. Dams must meet design criteria based on the potential impacts downstream of the dam. Downstream development within the dam break flood wave shall be denied unless the dam meets the design standards for a high-hazard dam as determined by the appropriate state and federal agencies.

#### c. **After the Issuance and During Construction.**

- (1) After issuance of a permit, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents

submitted with the application without the written approval of the local permitting official. A copy of the permit or other verification must be displayed at the construction site during construction activity.

- (2) Work on the permitted activity shall begin within 180 days of the issuance of the permit or the permit shall expire, unless a written extension is granted by the local permitting official. Work shall be completed within one year of the date of the permit, unless a greater time is specified in the permit or a written extension is granted.
- (3) During construction, the local permitting official or an authorized representative shall inspect the site to determine that the work is in compliance with the permit. Any work found to be noncompliant must be corrected before any additional work is undertaken.

- d. **Record of Permits.** A record of all floodplain permits shall be maintained and be available upon request by the Federal Emergency Management Agency or its authorized agent (Water Resources Administration) during periodic assessments of this community's participation in the National Flood Insurance Program. All documents needed to support any permit action, such as elevation certificates, map amendments or revisions or variance actions, shall be available for review during these assessments.

## 5. **Conditioned Permits For Accessory Structures and Garages.**

- a. **When Permitted.** A conditioned permit may be issued at the discretion of the local permitting official when the 300-square-foot exemption is exceeded for accessory structures up to a total size of 600 square feet. In order to qualify, the structure's use must be incidental to the primary structure, and it can be used only for limited storage and parking of vehicles. The provisions of Section E.7 must be met.
- b. **Nonconversion Agreement.** A conditioned permit is subject to the applicant's completion of a nonconversion agreement stating that the use of the accessory structure may not change from that permitted. A statement of the greater flood risk and possibly higher flood insurance premiums must be included. In addition, a recordation on the deed or memorandum of land restriction must be made as described in Section F.2.b stating that the permitted structure may not be used for human habitation without first complying with the construction requirements of this chapter and must be equipped with the proper water-equalizing vents.

## 6. **Fees.**

A fee as determined by the Mayor and City Council may be charged at the time of application.



**C. Establishment of Floodplain Zones.**

**1. Identification of Flood Zones.**

The regulatory floodplain shall be those areas of the City of Hagerstown which are subject to the 100-year flood, delineated on the most recent revision of the community's Floodway Maps and Flood Insurance Rate Maps (FIRM) and described in the Flood Insurance Study (FIS) prepared by the Federal Emergency Management Agency (FEMA). Floodway Maps and the FIS, if available for the community, must be used.

**2. Nontidal Floodplain Zones.**

**a. Zones.** A community may have the following nontidal floodplain zones:

- (1) Floodway fringe: that part of the floodplain outside of the floodway.
- (2) Floodway: reserved to carry the waters of the 100-year flood.

**b. Data.** Nontidal floodplains may have detailed engineering study data, profiles and water surface elevations or may have approximate delineations only.

**3. Floodplain Boundaries.**

**a. Floodplain Zone Determination.** The local permitting official will determine the floodplain zone in which the development activity is proposed using the Floodway Maps and FIS if available or, if not, by using the FIRM. Without prior approval from FEMA, the community shall use no other data to enforce floodplain management regulations. Where map boundaries and elevations disagree, elevations prevail, with no approval from FEMA required.

**b. Approximate Floodplain Determination.**

- (1) For development proposed in the approximate floodplain (no water surface elevations or floodway data provided), the applicant must use the best available information to determine the elevation of the 100-year flood and the extent of the floodway and must delineate these on the site plan submitted for approval.
- (2) For existing lots of record or new subdivisions with up to five lots but no more than five acres total, if no data is available, the point-on-the-boundary method may be used. In this method, the distance is scaled from a reference point at the site to the edge of the 100-year floodplain boundary indicated on the FIRM. An elevation of the 100-year flood is determined at that point by survey.
- (3) For new subdivisions, the applicant must have the 100-year-flood elevations certified by a registered professional engineer based on hydrologic and hydraulic analyses which include a floodplain analysis.

- c. **Unmapped Streams.** Where development is proposed in the vicinity of unmapped streams, in addition to those requirements set forth in Section C of this Article, state and federal permits may be required. Applicants are advised to seek a determination from the appropriate state or federal agency.

**D. Development Regulations.**

**1. General Provisions.**

In order to minimize excessive flood damage and to allow for the protection of the natural and beneficial floodplain functions, the following provisions shall apply to all development, new construction and substantial improvements to existing structures in all floodplain zones. If a structure is in more than one zone, the more stringent provisions shall apply to the entire structure. The specific requirements contained in Section E also apply to development in this Article. Any approved development shall comply with all other zoning, environmental, water quality and sanitary regulations, as well as applicable state and federal requirements.

**2. Watercourses.**

In all floodplain zones, all permit conditions for encroachment in the floodway must be met and adverse impacts to aquatic resources must be minimized. Adjacent communities and property owners, FEMA and the Maryland Water Resources Administration must be notified by the applicant before any modification may occur to watercourses. Any activity falling within the 100-year nontidal floodplain may require a waterway construction permit from the Water Resources Administration.

**3. Wetlands.**

Encroachment by development into wetlands is not allowed without state and federal permits.

**4. Sediment, Erosion Control and Stormwater Management.**

- a. Any land disturbance permitted in the floodplain may require a stormwater management and sediment and erosion control plan in accordance with state and local regulations. The plan must include design of land contours that will not increase surface water runoff onto neighboring properties.
- b. Before a permit is issued, the applicant shall demonstrate that new structures cannot be located out of the floodplain and that encroachments onto the floodplain are minimized where alternatives exist for the parcel of land in question.

**5. Floodway Fringe.**

**a. Floodway Fringe Elevation Requirements.**

- (1) The floodway fringe is that portion of the floodplain outside the floodway.
- (2) All new or substantially improved residential and nonresidential structures, including manufactured homes, shall have the lowest floor elevated to or above the flood protection elevation. Basements are not permitted. Horizontal expansions which increase the footprint and that are less than substantial shall also have the lowest floor elevated to or above the flood protection elevation. The elevation of the lowest floor shall be certified by a registered

surveyor or professional engineer on the elevation certificate, after the lowest floor is in place. Enclosures below the flood protection elevation must be constructed with water-equalizing vents to meet the specifications of Section E.3.

**b. Fill.**

- (1) The placement of more than 600 cubic yards of fill per parcel/lot in the floodplain is prohibited, except by variance. Elevating buildings by other methods must be considered unless 600 cubic yards or less of fill are required. An applicant shall demonstrate that fill is the only alternative to raising the building to at least the flood protection elevation and that the amount of fill used will not affect the flood storage capacity or increase flooding onto neighboring properties.
- (2) In the event that buildings on adjacent properties are known or determined to be subject to flooding under current conditions, the local permitting official may require submission of hydrologic and hydraulic analyses to adequately demonstrate the effects of the proposed fill. The conditions described in Section E.9 must be met whenever fill is used.

**6. Floodways.**

**a. General.**

- (1) Floodways shall be preserved to carry the discharge of the 100-year flood. Fill shall not be permitted. New buildings shall not be permitted. With the exception of necessary public facilities such as roads, bridges and essential utilities as defined in this chapter, new development shall not be permitted in the floodway where alternatives exist for the parcel of land in question or if any increase in water surface elevations will result from the 100-year flood.
- (2) Any development in the floodway which may result in any increase in water surface elevations or change to the floodway must be submitted to FEMA for a conditional letter of map revision. Hydrologic and hydraulic analyses based on existing floodway models and performed in accordance with standard engineering practices and certified by a registered professional engineer, licensed by the State of Maryland, must be submitted. Failure to receive this letter shall be grounds for denial of the permit.
- (3) An alternative analysis must be prepared for any development in the floodway before a permit may be issued. The provisions of Section D.5 above, as well as this section, apply to floodways.

**b. Alternative Analysis Requirement.** Before a permit may be issued, an applicant shall submit an alternative analysis which demonstrates that:

- (1) No reasonable alternatives exist outside the floodway;
- (2) Encroachment in the floodway is the minimum necessary;
- (3) The development will withstand the 100-year flood without significant

- damage; and
- (4) The development will not increase downstream or upstream flooding or erosion.

**c. Existing structures.**

- (1) Existing structures in the floodway shall be substantially improved only by variance and if they can be brought into conformance with this chapter without increasing the footprint. Minor additions (less than substantial) must be elevated to the flood protection elevation on pilings or columns. In the event of substantial damage, the applicant shall submit an alternative analysis to determine if the structure can be relocated out of the floodplain where alternatives exist for the parcel of land in question. Where replacement structures cannot be relocated, they shall be limited to the footprint of the previous structure and must comply with the elevation requirements of Section D.5.a of this Article.
- (2) Permits for incremental improvements shall be tracked by the local permitting official, and if cumulative improvements constitute substantial improvement, no further permits may be issued unless the structure conforms to the provisions of this chapter.

**d. Obstructions.**

Structures or fill which may impede, retard or change the direction of the flow of floodwaters or any materials that may be carried downstream to cause damage shall not be placed in the floodway. Fences, except two-wire fences, shall not be placed in the floodway.



**E. Specific Requirements.**

**1. General Provisions.**

In addition to the requirements outlined in Section D, the following specific requirements must be applied.

**2. Placement of Buildings and Materials.**

All structures permitted in the floodplain shall be oriented so as to offer the least resistance to the flow of floodwaters. Materials which are buoyant, flammable, explosive, hazardous to health or which at times of flooding may be injurious to human, animal or plant life shall not be stored below the flood protection elevation.

**3. Enclosures Below Lowest Floor.**

**a. Requirement for Vents.** Buildings which have been elevated and have fully enclosed areas below the flood protection elevation (other than basements), as well as garages and accessory structures which are not elevated (Section E.7), shall be constructed with water-equalizing vents which meet or exceed the following standards:

- (1) A minimum of two openings on different walls 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.
- (2) The bottom of all openings shall be no higher than one foot above grade
- (3) Openings may be equipped with screens, louvers, valves or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters to equalize hydrostatic forces on the walls.

**b. Limitation on Use.** Fully enclosed areas below the flood protection elevation shall be used solely for parking of vehicles, access to the building or storage. If such areas are enclosed, the applicant must file a signed non-conversion agreement as described in Section B.5.b bearing a legal description of the site location and stating that the use of the accessory structure may not change from that permitted. A statement of the greater flood risk and possibly higher flood insurance premiums must be included. In addition, a recordation on the deed or memorandum of land restriction must be made as described in §§ 3-102 and 3-103 of the Real Property Article of the Annotated Code of Maryland, stating that the permitted structure may not be used for human habitation without first complying with the construction requirements of this chapter and must be equipped with the proper water-equalizing vents.

**4. Manufactured Homes and Manufactured Home Parks.**

**a. New Construction Prohibited.** New manufactured homes and manufactured home parks are prohibited in the floodplain. In the floodway fringe, replacement or substantially improved manufactured homes, whether in a manufactured home park or not, shall comply with Section D.5.a of this Article.

- b. **Anchoring.** Methods of anchoring shall include use of over-the-top and frame ties to ground anchors. Pilings or columns shall be used to maintain storage capacity of the flood plain. Concrete block support pilings must be reinforced by placing reinforcing bars inside and extending them into the footing, filling the hollows with cement and using mortar to cement the blocks together. Federal Emergency Management Agency (FEMA) Publication 85, Manufactured Home Installation in Flood Hazard Areas, should be consulted for specific recommendations. Manufactured homes repaired or replaced because of substantial damage due to flooding or other causes must fully comply with Section D.5.a.
- c. **Evacuation Plan.** Owners of manufactured home parks or subdivisions that are partially or fully within the floodplain must file an evacuation plan with the local emergency management agency. A flood-free access road shall be provided in all new manufactured home parks and subdivisions.

**5. Anchoring.**

All structures shall be firmly anchored in accordance with acceptable engineering practices to prevent flotation, collapse and lateral movement during flooding. All air ducts, large pipes and storage tanks located below the flood protection elevation shall be firmly anchored to resist flotation.

**6. Utilities.**

- a. **Electric.** All electric utilities to the building side of the meter, both interior and exterior to the building, are regulated by this chapter. Distribution panel boxes must be at least two feet above the flood protection elevation. All outlets and electrical installations, such as heat pumps, air conditioners, water heaters, furnaces, generators and distribution systems, must be installed at or above the flood protection elevation.
- b. **Plumbing.** Toilets, sinks, showers, water heaters, pressure tanks, furnaces and other permanent plumbing installations must be installed at or above the flood protection elevation.
- c. **Gas.** Gas meters and gas appliances must be installed at or above the flood protection elevation.
- d. **Water Supply and Sanitary Facilities.** Water supply distribution and sanitary disposal collection systems must be designed to minimize or eliminate the infiltration of floodwaters into the systems or discharges from the systems into floodwaters and shall be located and constructed so as to minimize or eliminate flood damage. On-site sewage disposal systems shall meet these same standards as well as comply with State Health Department requirements.

**7. Accessory Structures and Garages.**

**a. Accessory Structures.** Accessory structures and garages should be located out of the floodplain or elevated to or above the flood protection elevation. 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.

**b. Attached Garages.** A garage attached to the main structure shall be elevated to the greatest extent possible, but may be permitted as an exemption to the strict elevation requirement if it is used solely for parking of vehicles, storage or building access and is no more than 600 square feet in area. Attached garages must meet the venting requirements of Section E.3, have all interior walls, ceilings and floors below the flood protection elevation unfinished and have no machinery or electric devices or appliances located below the flood protection elevation. A nonconversion agreement as described in Section B.5 must be signed by the property owner stating that the garage may never be used for human habitation without first becoming fully compliant with this chapter.

**c. Detached Garages and Accessory Structures.**

- (1) An accessory structure or detached garage may be permitted as an exemption to the elevation requirement if it is less than 300 square feet, used solely for parking of vehicles and limited storage, meets the venting requirements of Section E.3, has all interior wall, ceiling and floor elements below the flood protection elevation unfinished and has no machinery, electric devices or appliances located below the flood protection elevation. A nonconversion agreement must be signed by the property owner.
- (2) An accessory structure or a detached garage between 300 square feet and 600 square feet may be permitted below the flood protection elevation only by a conditioned permit described in Section B.5.
- (3) A nonconversion agreement must be signed by the applicant, bearing a legal description of the site location and stating that the use of the accessory structure may not change from that permitted. A statement of the greater flood risk and possibly higher flood insurance premiums must be included. The agreement shall include restriction that the permitted structure may not be used for human habitation without first complying with the construction requirements of this chapter and must be equipped with the proper water-equalizing vents.
- (4) An accessory structure or garage larger than 600 square feet in area must be elevated properly or be able to meet all applicable requirements under the variance procedure in Section F of this Article.

**8. Recreational Vehicles.**

- a. Exemptions.** Recreational vehicles located within the floodplain may be exempted from the elevation and anchoring requirements, provided that they are:
- (1) Located on the site less than 180 consecutive days per year;
  - (2) Fully licensed and ready for highway use; and
  - (3) Properly permitted.
- b. Highway Use.** A recreational vehicle is ready for highway use if it is on its wheels and jacking system, is attached to the site only by quick-disconnect type utilities and securing devices and has no permanently attached additions.

**9. Fill.**

- a. Fill Discouraged.** Fill is discouraged because storage capacity is removed from floodplains. Other methods of elevating structures should be considered first, and fill used only if other methods are not feasible. Fill may not be placed in the floodway. Fill may not be placed in nontidal wetlands without the required state and federal permits.
- b. Fill Content.** Fill must consist of soil and rock materials only. Dredged material may be used as fill only upon certification of suitability by a registered professional geotechnical engineer. Landfills, rubble fills, dumps and sanitary fills are not permitted in the floodplain.
- c. Compaction.** Fill used to support structures must be compacted to 95% of the maximum density obtainable by the Standard Proctor Test (ASTM Standard D-698) and its suitability to support structures certified by a registered professional engineer. Fill slopes shall be no greater than two horizontal to one vertical. Flatter slopes may be required where velocities may result in erosion.
- d. Not To Increase Flooding.** The use of fill shall not increase flooding or cause drainage problems on neighboring properties.

**F. Variances.**

**1. Board of Zoning Appeals.**

- a. Board of Zoning Appeals.** The Board of Zoning Appeals shall hear and decide appeals and requests for variances from the requirements of this chapter. Conditions may be attached to the Board's decision, and its decisions must be consistent with this chapter. Variances may not be granted except as specified below, nor shall variances be granted for any encroachment in floodways if any increase in the 100-year flood levels will result.
- b. Variances.** Variances shall only be issued upon:

  - (1) A showing of good and sufficient cause;
  - (2) A determination that failure to grant a variance would result in exceptional hardship (other than economic) to the applicant; and
  - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense or create nuisances, cause fraud or victimization of the public or conflict with existing local and state laws or ordinances.
- c. Minimum Necessary.** The Board's decision shall be the minimum necessary, considering the flood hazard, to afford relief. In considering a variance action, comments from the State Coordinating Office of the Water Resources Administration must be taken into account and maintained with the permit file.

**2. Conditions; Records.**

- a. Prohibited Variances.** Variances may not be granted for the following:

  - (1) Placement of fill or any development in the floodway if any increase in flood levels would result.
  - (2) New structures in the floodway.
- b. Letter to Applicant.** For any variance issued, a letter shall be sent to the applicant indicating the terms and conditions of the variance, the increased risk to life and property in granting the variance and the increased premium rates for National Flood Insurance coverage. The applicant shall be notified in writing of the requirement for recordation of these conditions on the deed or memorandum of land restriction prior to obtaining a permit and of the need to secure all necessary permits as conditions for granting a variance. The memorandum is described in §§ 3-102 and 3-103 of the Real Property Article of the Annotated Code of Maryland.
- c. Keeping of Records.** The local permitting official shall maintain a record of all variance actions and the justification for their issuance, as well as all correspondence. This record must be submitted as a part of the biennial report to FEMA and be available for periodic review.

### **3. Functionally Dependent Uses.**

Variations may be issued for new construction and substantial improvements for the conduct of a functionally dependent use. A functionally dependent use cannot perform its intended purpose unless it is located or carried out in close proximity to water. It includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

The variance may be issued only upon sufficient proof of the functional dependence. The provisions of Sections F.1 and F.2 must be met and the structure must be protected by methods that minimize flood damage up to the flood protection elevation and must create no additional threats to public safety. This may require methods of wet floodproofing which allow the structure to flood without significant damage. Methods of floodproofing must not be dependent upon human intervention such as manual sealing of doors and windows.

**G. Administration.**

**1. Effective Date.**

This Article is effective as of September 24, 1992.

**2. Subsequent Amendments.**

This chapter shall be amended as required by the Federal Emergency Management Agency, 44 Code of Federal Regulations. All subsequent amendments to this chapter are subject to approval of the Federal Emergency Management Agency and the Maryland Department of Natural Resources.

**3. Violations and Penalties.**

Violations and penalties for violation of this Article shall be addressed in accordance with Article 8, Section D of this Code.

