

**ORDINANCE 17-10-01**

**AN ORDINANCE OF THE CITY OF HELEN, GEORGIA, TO AMEND THE  
OFFICIAL CODE OF THE CITY OF HELEN, GEORGIA, BY AMENDING  
CHAPTER 34, LAND DEVELOPMENT CODE,  
ARTICLE VI FLOOD DAMAGE PREVENTION**

WHEREAS, Article IX, Section II of the Constitution of the State of Georgia and Section 36-1-20(a) of the Official Code of Georgia Annotated delegates the responsibility to local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

WHEREAS, the City of Helen works with the Georgia Department of Natural Resources, Environmental Protection Division to insure that the City of Helen has in place a Flood Damage Prevention Ordinance, such that the City of Helen follows Georgia EPD guidelines, and

WHEREAS, periodic revisions by the Environmental Protection Division of their guidance models and updates to the FEMA flood insurance study maps necessitate revision updates to the City of Helen Municipal Code;

**IT IS HEREBY ORDAINED**, by the Helen City Commission that The Official Code of The City of Helen, Georgia, is amended by amending Chapter 34, Land Development Code, Article VI. Flood Damage Prevention by the amendment of the prior Section 34-922 with language such that Section 34-922 will now read as follows:

Sec. 34-922. Basis for area of special flood hazard.

The Areas of Special Flood Hazard identified by the Federal Emergency Management Agency in its Flood Insurance Study (FIS), dated January 5, 2018, with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared a part of this ordinance.

For those land areas acquired by the City of Helen through annexation, the current effective FIS dated January 5, 2018, with accompanying maps and other supporting data and any revision thereto, for White County, Georgia are hereby adopted by reference.

Areas of Special Flood Hazard may also include those areas known to have flooded historically or defined through standard engineering analysis by governmental agencies or private parties but not yet incorporated in a FIS.

The Repository for public inspection of the Flood Insurance Study (FIS), accompanying maps and other supporting data is located at Helen City Hall.

(Ord. No. 02-11-01, 12-17-02, 17-10-01)

**Be it further ordained**, by the Helen City Commission that The Official Code of The City of Helen, Georgia, is amended by amending Chapter 34, Land Development Code, Article VI. Flood Damage Prevention Section 34-942 – Specific Standards, by the addition of paragraph (a) following the words “elevated buildings” under Subsection (1):

- (a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing and other service facilities shall be elevated at or above one foot above the base flood elevation.

**Be it further ordained**, by the Helen City Commission that The Official Code of The City of Helen, Georgia, is amended by amending Chapter 34, Land Development Code, Article VI. Flood Damage Prevention Section 34-942 – Specific Standards by the amendment of Subsection (3) in the first paragraph of said subsection (3) as follows:

“(3) Standards for manufactured homes and recreational vehicles (Only applicable if such are authorized pursuant to Helen Municipal Code Section 34-578). Where base flood elevation data are available:”

**OTHER** than its amendments published above, Section 34-942 remains in full force and effect, and no other amendment is intended hereby.

**Be it further ordained**, by the Helen City Commission that The Official Code of The City of Helen, Georgia, is amended by amending Chapter 34, Land Development Code, Article VI. Flood Damage Prevention Section 34-943 – Building standards for streams without established base flood elevations and/or floodway (A zones), by the addition of (a) following “Elevated buildings” under Subsection (3):

- (a) All heating and air conditioning equipment and components (including ductwork), all electrical, ventilation, plumbing and other service facilities shall be elevated no less than three feet above the highest adjacent grade at the building site.

**OTHER** than its amendment by the addition of (a) to Subsection (3), Section 34-943 remains in full force and effect, and no other amendment is intended hereby.

**Be it further ordained**, by the Helen City Commission that The Official Code of The City of Helen, Georgia, is amended by amending Chapter 34, Land Development Code, Article VI. Flood Damage Prevention, by the repeal of the prior Section 34-944, and by its replacement as follows:

Section 34-944. – Standards for areas of shallow flooding (AO zones), and Standards for Areas of Special Flood Hazard (Zones AE) with Established Base Flood Elevations without Designated Floodways.

(A) Areas of special flood hazard established in section 34-922, may include designated "AO" shallow flooding areas. These areas have base flood depths of one to three feet above ground, with no clearly defined channel. The following provisions apply:

- (1) All new construction and substantial improvements of residential and nonresidential structures shall have the lowest floor, including basement, elevated to the flood depth number specified on the flood insurance rate map (FIRM), above the highest adjacent grade. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least three feet above the highest adjacent grade. Openings sufficient to facilitate the unimpeded movements of flood waters shall be provided in accordance with standards of subsection 34-941(4), "Elevated buildings."

The city planning design and review board shall certify the lowest floor elevation level and the record shall become a permanent part of the permit file.

(2) New construction or the substantial improvement of a nonresidential structure may be floodproofed in lieu of elevation. The structure, together with attendant utility and sanitary facilities, must be designed to be water tight to the specified FIRM flood level plus one foot, above highest adjacent grade, with walls substantially impermeable to the passage of water, and structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions above, and shall provide such certification to the official as set forth above and as required in section 34-932(1)(c) and section 34-932(2).

(3) Drainage paths shall be provided to guide floodwater around and away from any proposed structure.

(B) Areas of special flood hazard established in Section 34-922, where streams with base flood elevations are provided but no floodways have been designated, (Zones AE) the following provisions apply:

1. No encroachments, including fill material, new structures or substantial improvements shall be located within areas of special flood hazard, unless certification by a registered professional engineer is provided demonstrating that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than *one foot* at any point within the community. The engineering certification should be supported by technical data that conforms to standard hydraulic engineering principles.

2. New construction or substantial improvements of buildings shall be elevated or flood-proofed to elevations established in accordance with section 34-932.

(Ord. No. 02-11-01, 12-17-02, 17-10-01)

**Be it further ordained**, by the Helen City Commission, that any ordinance or resolution previously existing, either replaced by or inconsistent or in conflict with this ordinance, are repealed in their entirety if replaced hereby, and repealed partially to the extent of the conflict or inconsistency of the previous ordinance.

**Be it further ordained**, by the Helen City Commission, that this ordinance shall become effective upon adoption.

This ordinance approved by the Helen City Commission this 11th day of November, 2017.

Helen Wilkins (SEAL)  
Helen Wilkins, Mayor

ATTEST: Marilyn Chastain  
Marilyn Chastain, City Clerk

APPROVED AS TO FORM: Carl Free  
Carl Free, City Attorney

Date: November 7, 2017

Passed First Reading: October 17, 2017

Passed Second Reading: November 7, 2017

Approved and Adopted: November 7, 2017