

VILLAGE OF RUIDOSO

ORDINANCE 2024-05

AN ORDINANCE AMENDING THE VILLAGE OF RUIDOSO MUNICIPAL CODE OF ORDINANCE; CHAPTER 54 LAND USE ARTICLE IV-FLOOD HAZARD REGULATIONS SECTIONS 54-327 BASIS FOR ESTABLISHING AREAS OF SPECIAL FLOOD HAZARD, 54-329 COMPLIANCE WITH ARTICLE AND OTHER REGULATIONS AND 54-338 SPECIFIC STANDARDS:

WHEREAS the Governing Body of the Village of Ruidoso is updating the Land Use ordinance within the Village of Ruidoso; and

WHEREAS the fire and flood events as a result of the 2024 Southfork and Salt Fires have proved that a revision of building within floodplain designations requires additional safeguards to protect and promote the health and safety of the community and the build-back efforts; and

WHEREAS the Village, in assistance to the Floodplain managers and watershed resource teams, is providing additional tools to assist in the floodplain management process; and

WHEREAS, the Governing Body of the Village of Ruidoso has determined that these amendments are necessary; and

WHEREAS the Planning Commission of the Village of Ruidoso conducted a duly advertised public hearing to consider this ordinance on September 3, 2024, and October 1, 2024, and the Planning Commission has unanimously recommended approval of the modification to Chapter 54, Article IV, Sections 54-327, 54-329 and 54-338.

NOW, THEREFORE BE IT ORDAINED by the Governing Body of the Village of Ruidoso that Chapter 54 sections 54-327, 54-329 and 54-338 are hereby amended by the addition of new text and modification or deletion of existing text as follows:

Bold Underline is text that is proposed for adoption. ~~Strike-out~~ is language deleted.

Chapter 54 – LAND USE

ARTICLE IV. – FLOOD HAZARD REGULATIONS

Sec. 54-327 – Basis for establishing areas of special flood hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for Ruidoso," dated November 5, 2014, with accompanying flood insurance rate maps, **dated November 5, 2014 (Panel Numbers: 35027C2059E and 35027C2080E) and November 16, 2011 (Panel Numbers: 35027C1890D, 35027C1895D, 35027C2052D, 35027C2056D, 35027C2057D, 35027C2055D, 35027C2058D, 35027C2066D, and 35027C2067D)** and flood hazard boundary-floodway maps, and any revisions thereto, are hereby adopted by reference and declared to be a part of this article.

These additional resources can be used by the floodplain manager for the purpose of issuing a floodplain permit or determining floodplain BFEs or other required floodplain determination elements.
(1)estBFE Viewer.

(2)inFRM tools (interagency flood risk management).

Sec. 54-329 – Compliance with article and other regulations

No structure or land shall hereafter be located or altered or have its use changed without full compliance with the terms of this article and other applicable regulations. **All appropriate State and Federal permits have been obtained before the issuance of an approved permit by the Village of Ruidoso.**

Sec. 54-338- SPECIFIC STANDARDS

In all areas of special flood hazard where base flood elevation data has been provided as set forth in [section 54-327](#), [54-334](#)(8) or [54-337](#), the following provisions are required:

(1) *Residential construction.* New construction or substantial improvement of any residential structure shall have the lowest floor, including basement, elevated ~~to or~~ **a minimum of two feet** above the base flood elevation. A registered professional engineer, architect or land surveyor shall submit a certification to the enforcement officer that the standard of this subsection, as proposed in [section 54-335](#), is satisfied.

(2) *Nonresidential construction.* New construction or substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated ~~to or~~ **a minimum of two feet** above the base flood level, or, together with attendant utility and sanitary facilities, be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications and plans for the construction and shall certify that such design, specifications and plans are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.

(3) *Enclosures.* New construction and substantial improvements with fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. A minimum of two openings 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.

b. The bottom of all openings shall be no higher than one foot above grade.

c. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(4) a. Manufactured homes that are placed or substantially improved within zones A1—30, AH and AE on the community's FIRM on sites:

1. Outside of a manufactured home park or subdivision;
2. In a new manufactured home park or subdivision;
3. In an expansion to an existing manufactured home park or subdivision; or
4. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood;

shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated ~~to or~~ a minimum of two feet above the base flood elevation, and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

(5) *Recreational vehicles*. Recreational vehicles placed on sites within zones A1—30, AH and AE on the community's FIRM shall either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use; or
- c. Meet the permit requirements of this article and the elevation and anchoring requirements for manufactured homes in subsection (4) of this section.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

(6) *Evacuation plan*. A plan for evacuating residents of all manufactured home parks or subdivisions located within floodprone areas shall be developed and filed with and approved by the enforcement officer. (Code 1985, § 10-9-18; [Ord. No. 2014-09](#), 10-28-14)

Passed, Approved and Adopted this ____ day of _____, 2024.

[Handwritten signature]

Lynn D. Crawford, Mayor

for Rafael "Ripie" Salas
Mayor Pro Tem

SEAL



ATTEST:

[Handwritten signature]

Jini Turri, Village Clerk