

1353.29 RESIDENTIAL STRUCTURES.

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Document type	section
Identifier	1353.29
Citation	§ 1353.29
Ordinances detected	S, 116-84, 9-21
Original source	American Legal Publishing
Content hash	0b75688a5e38b465359b3fb7384edb7f4877ea619cf453175218a4742ac7c9aa

- Skip to main content
- Search
- Sitemap
- Login
- Select Language
- Resources
- Skip to code content (skip section selection)
- 2025-04 (current)
- Sheffield Lake Overview
- Codified Ordinances of Sheffield Lake, OH
- CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- CERTIFICATION
- ROSTER OF OFFICIALS
- ADOPTING ORDINANCE NO. 116-84
- COMPARATIVE SECTION TABLE
- TABLES OF SPECIAL ORDINANCES OF SHEFFIELD LAKE
- CHARTER

PART ONE - ADMINISTRATIVE CODE

PART THREE - TRAFFIC CODE

PART FIVE - GENERAL OFFENSES CODE

PART SEVEN - BUSINESS REGULATION CODE

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

PART ELEVEN - PLANNING AND ZONING CODE

PART THIRTEEN - BUILDING CODE

TITLE ONE - Building Standards

TITLE THREE - Local Provisions

CHAPTER 1335 Licensing of Contractors

CHAPTER 1345 Certificates of Occupancy

CHAPTER 1351 Dangerous Buildings

CHAPTER 1352 Fences, Hedges and Walls (Repealed)

CHAPTER 1353 Flood Damage Prevention

1353.01 STATUTORY AUTHORIZATION.

1353.02 FINDINGS OF FACT.

1353.03 STATEMENT OF PURPOSE.

1353.04 METHODS OF REDUCING FLOOD LOSS.

1353.05 LANDS TO WHICH THESE REGULATIONS APPLY.

1353.06 BASIS FOR ESTABLISHING THE AREAS OF SPECIAL FLOOD HAZARD.

1353.07 ABROGATION AND GREATER RESTRICTIONS.

1353.08 INTERPRETATION.

1353.09 WARNING AND DISCLAIMER OF LIABILITY.

1353.10 SEVERABILITY.

1353.11 DEFINITIONS.

1353.12 DESIGNATION OF THE FLOODPLAIN ADMINISTRATOR.

1353.13 DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR.

1353.14 FLOODPLAIN DEVELOPMENT PERMITS.

1353.15 APPLICATION REQUIRED.

1353.16 REVIEW AND APPROVAL OF A FLOODPLAIN DEVELOPMENT PERMIT APPLICATION.

1353.17 INSPECTIONS.

1353.18 POST-CONSTRUCTION CERTIFICATIONS REQUIRED.

1353.19 REVOKING A FLOODPLAIN DEVELOPMENT PERMIT.

1353.20 EXEMPTION FROM FILING A DEVELOPMENT PERMIT.

1353.21 STATE AND FEDERAL DEVELOPMENT.

1353.22 MAP MAINTENANCE ACTIVITIES.

1353.23 DATA USE AND FLOOD MAP INTERPRETATION.

1353.24 USE OF PRELIMINARY FLOOD INSURANCE RATE MAP AND/OR FLOOD INSURANCE STUDY DATA.

1353.25 SUBSTANTIAL DAMAGE DETERMINATIONS.

1353.26 USE REGULATIONS.

1353.27 WATER AND WASTEWATER SYSTEMS.

1353.28 SUBDIVISION AND OTHER NEW DEVELOPMENTS.

1353.29 RESIDENTIAL STRUCTURES.

1353.30 NONRESIDENTIAL STRUCTURES.

1353.31 ACCESSORY STRUCTURES.

1353.32 RECREATIONAL VEHICLES.

1353.33 GAS OR LIQUID STORAGE TANKS.

1353.34 ASSURANCE OF FLOOD CARRYING CAPACITY.

1353.35 DEVELOPMENT STANDARDS FOR COASTAL HIGH HAZARD AREAS(AND MoWA AREAS).

1353.36 APPEALS BOARD ESTABLISHED.

1353.37 POWERS AND DUTIES.

1353.38 APPEALS.

1353.39 VARIANCES.

1353.40 PROCEDURE AT HEARINGS.

1353.41 APPEAL TO THE COURT.

1353.42 COMPLIANCE REQUIRED.

1353.43 NOTICE OF VIOLATION.

1353.99 VIOLATIONS AND PENALTIES.

CHAPTER 1354 Flood Hazards

CHAPTER 1355 Grades

CHAPTER 1356 Moving Buildings

CHAPTER 1357 Residential Driveways and Driveway Additions

CHAPTER 1361 Permits, Fees and Inspections

CHAPTER 1365 Pole Type Buildings (Repealed)

CHAPTER 1367 Construction Equipment and Vehicles (Repealed)

CHAPTER 1369 Dumpsters and Refuse Containers (Repealed)

CHAPTER 1371 Signs and Billboards (Repealed)

CHAPTER 1375 Swimming Pools (Repealed)

CHAPTER 1377 Smoke Detectors

CHAPTER 1379 Residential Construction Materials

CHAPTER 1381 Stables, Kennels and Animal Shelters

CHAPTER 1383 Metal Sheds and Accessory Buildings (Repealed)

CHAPTER 1385 Emergency Alarm Systems

CHAPTER 1387 Ground Satellite Stations

CHAPTER 1395 Real Property Maintenance Code

PART FIFTEEN - FIRE PREVENTION CODE

OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

1353.29 RESIDENTIAL STRUCTURES.

CHAPTER 1353 Flood Damage Prevention

1353.24 USE OF PRELIMINARY FLOOD INSURANCE RATE MAP AND/OR FLOOD INSURANCE STUDY DATA.

(a) Zone A:

(1) Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall reasonably be utilized as best available data.

(2) When all appeals have been resolved and a notice of final flood elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

(b) Zones AE, A1-30, AH, AO, VE, and V1-30:

(1) BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used

in lieu of BFE and floodway data contained in an existing effective FIS and FIRM. However,

A. Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of their citizens are protected.

B. Where BFEs decrease, preliminary FIS or FIRM Data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.

(2) If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 1353.34(b) since the data in the draft or preliminary FIS represents the best data available.

(c) Zones B, C, and X:

(1) Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B,C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, AO, VE, or V1-30. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected.

(Ord. 9-21. Passed 2-9-21.)

1353.25 SUBSTANTIAL DAMAGE DETERMINATIONS.

Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such a damage event, the Floodplain Administrator shall:

- (a) Determine whether damaged structures are located in special flood hazard areas;
- (b) Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- (c) Require owners of substantially damaged structures to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims. (Ord. 9-21. Passed 2-9-21.)

1353.26 USE REGULATIONS.

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1353.06, 1353.23(a), or 1353.24.

(a) Permitted Uses. All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by Sheffield Lake are allowed provided they meet the provisions of these regulations.

(Ord. 9-21. Passed 2-9-21.)

1353.27 WATER AND WASTEWATER SYSTEMS.

The following standards apply to all water supply, sanitary sewerage and waste disposal systems in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable state rules:

(a) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;

(b) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

(c) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

(Ord. 9-21. Passed 2-9-21.)

1353.28 SUBDIVISION AND OTHER NEW DEVELOPMENTS.

(a) All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;

(b) All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

(c) All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and

(d) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.

(e) The applicant shall meet the requirement to submit technical data to FEMA in Section 1353.22(a)(1)D. when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1353.22(d).

(Ord. 9-21. Passed 2-9-21.)

1353.29 RESIDENTIAL STRUCTURES.

The Requirements of Section 1353.29 apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1353.24.

(a) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (Section 1353.29(a)) and construction materials resistant to flood damage (Section 1353.29(b)) are satisfied.

(b) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.

(c) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

(d) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation.

(e) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets

the following standards:

- (1) Be used only for the parking of vehicles, building access, or storage; and
 - (2) Be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
 - (3) Have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one-foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (f) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- (g) Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1353.29.

(Ord. 9-21. Passed 2-9-21.)

1353.30 NONRESIDENTIAL STRUCTURES.

The requirements of Section 1353.30 apply to new construction and to substantial improvements of nonresidential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under circumstances provided in Section 1353.24.

- (a) New construction and substantial improvement of any commercial, industrial, or other nonresidential structure shall meet the requirements of Section 1353.29(a)-(c) and (e)-(g).
- (b) New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:

- (1) Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
- (2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
- (3) Be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with Section 1353.30(b)(1) and (2).

(Ord. 9-21. Passed 2-9-21.)

1353.31 ACCESSORY STRUCTURES.

Structures 600 square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO, and AH designated on the community's FIRM. Such structures must meet the following standards:

- (a) They shall not be used for human habitation;
- (b) They shall be constructed of flood resistant materials;
- (c) They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
- (d) They shall be firmly anchored to prevent flotation;

(e) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and

(f) They shall meet the opening requirements of Section 1353.29(e)(3).

(Ord. 9-21. Passed 2-9-21.)

1353.32 RECREATIONAL VEHICLES.

Recreational vehicles on sites within zones A, A1-30, AE, AO, or AH must meet at least one of the following standards:

(a) They shall not be located on sites in special flood hazard areas for more than 180 days, or

(b) They must be fully licensed and ready for highway use, or

(c) They must be placed on the site pursuant to a floodplain development permit issued under Sections 1353.14 and 1353.15, and meet all standards of Section 1353.29. (Ord. 9-21. Passed 2-9-21.)

1353.33 GAS OR LIQUID STORAGE TANKS.

(a) Within zone A, A1-30, AE, AO or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

(b) In zones V or VE, new or substantially improved above ground gas or liquid storage tanks shall be elevated with the bottom of the lowest horizontal supporting member above BFE on the landward side of the buildings.

(c) In zones V or VE, new or substantially improved underground gas or liquid storage tanks must be installed below the lowest eroded ground elevation.

(Ord. 9-21. Passed 2-9-21.)

1353.34 ASSURANCE OF FLOOD CARRYING CAPACITY.

Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:

(a) Development in Floodways.

(1) In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or

(2) Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:

A. Meet the requirements to submit technical data in Section 1353.22(a);

B. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;

C. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;

D. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and

E. Concurrence of the Mayor of Sheffield Lake and the Chief Executive Officer of any other communities impacted by the proposed actions.

(b) Development in Riverine Areas with Base Flood Elevations but No Floodways.

(1) In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed

development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,

(2) Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:

A. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;

B. Section 1353.34(a)(2), items A. and C. - E.

(c) Alterations of a Watercourse. For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the "bankfull stage." The field determination of "bankfull stage" shall be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a Federal, State, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

(1) The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.

(2) Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.

(3) The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with Sheffield Lake specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.

(4) The applicant shall meet the requirements to submit technical data in Section 1353.22(a)(1)C. when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

(Ord. 9-21. Passed 2-9-21.)

1353.35 DEVELOPMENT STANDARDS FOR COASTAL HIGH HAZARD AREAS(AND MoWA AREAS).

The requirements of Section 1353.35 apply to development in coastal high hazard areas designated zone V or VE on the community's effective FIRM (and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1353.24). (The requirements of Section 1353.35 also apply to development in Moderate Wave Action areas, within zone AE between a Limit of Moderate Wave Action and the landward limit of zone V or VE designated on the community's effective FIRM, or between a Limit of Moderate Wave Action and the offshore limit of the community's jurisdiction where zone V or VE is not designated on the community's effective FIRM.)

(a) All new construction and substantial improvements shall be elevated on pilings or columns that may be armored as necessary to withstand Lake Erie ice forces so that:

(1) The bottom of the lowest horizontal structural member supporting the lowest floor (excluding the pilings or columns) is elevated to or above the flood protection elevation, and

(2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

A. Water loading values shall be those associated with the base flood.

B. Wind loading values shall be those defined according to American Society of buildings and other structures, or current version adopted by the Ohio Board of Building Standards.

C. A registered professional engineer or architect shall develop or review the structural design, specifications and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of Section 1353.35(a)(1) and (2).

(b) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.

(1) For purpose of Section 1353.35(b) a breakaway wall shall have a design safe loading resistance of not less than ten (10) and no more than twenty (20) pounds per square foot.

(2) Use of breakaway walls which exceed a design safe loading resistance of twenty (20) pounds per square foot (either by design or where so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet all of the following conditions:

A. Breakaway wall collapse shall result from a water load less than that which would occur during the base flood; and

B. The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Water loading values shall be those associated with base flood. Wind loading values shall be those defined according to American Society of Civil Engineers 7-16 "Minimum design loads and associated criteria for buildings and other structures", or equivalent standard.

(3) All space enclosed by breakaway walls, open wood lattice-work, or insect screening below the lowest floor shall be used solely for parking of vehicles, building access, or storage.

(c) The use of fill or redistributed existing fill, placed after the initial identification of Zones V, VE or V1-30 on community's FIRM, for structural support of buildings is prohibited.

(d) Alteration of sand dunes that will increase potential flood damage is prohibited.

(e) Placement or substantial improvement of manufactured homes must comply with Section 1353.35(a)-(e).

(f) Recreational vehicles must either:

(1) Be on site for fewer than 180 consecutive days;

(2) Be fully licensed and ready for highway use;

(3) Comply with Section 1353.35(a)-(e).

(Ord. 9-21. Passed 2-9-21.)

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- Ordinances of Sheffield Lake, OH
- ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO
- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- Repealed)
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- Ord. 9-21
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Created 2026-07-18 21:30:34 UTC by MunicipalWiki Indexer

Updated 2026-07-18 21:30:34 UTC by MunicipalWiki Indexer