

SECTION 14A
DEFINITIONS FOR FLOOD DAMAGE PREVENTION

14.1 Definitions

For purposes of Section 14, the following words and terms shall have the meaning set forth herein:

ACT: "An act in relation to the regulation to the regulation of the rivers, lakes and streams of the State of Illinois", 615 ILCS 5/4.9 et seq.

APPROPRIATE USE: Only uses of the designated floodway that are permissible and will be considered for permit issuance. The only uses that will be allowed are as specified in Section 14.8-2 of this Ordinance.

BASE FLOOD: The flood having a one percent (1%) probability of being equaled or exceeded in any given year. The base flood is also known as the 100-year frequency flood event. Application of the base flood elevation at any location is as defined in Section 10.6 of this Ordinance.

BERM: An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

CERTIFY OR CERTIFICATION: Formally attesting that the specific inspections and tests where required have been performed, and that such tests comply with the applicable requirements of this Ordinance.

CHANNEL: Any river, stream, creek, brook, branch, natural or artificial depression, ponded area, flowage, slough, ditch, conduit, culvert, gully, ravine, wash, or natural or man-made drainage way, which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

CHANNEL MODIFICATION: Alteration of a channel by changing the physical dimensions or materials of its bed or banks. Channel modification includes damming, rip-rapping (or other armoring), widening, deepening, straightening, relocating, lining and significant removal of native vegetation from the bottom or banks. Channel modification does not include the clearing of dead or dying vegetation, debris, or trash from the channel. Channelization is a severe form of channel modification involving a significant change in the channel cross-section and typically involving relocation of the existing channel (e.g. straightening).

CLEARING: Any activity which removes vegetative ground cover, shrubs or trees.

CONDITIONAL APPROVAL OF A DESIGNATED FLOODWAY MAP CHANGE: Preconstruction approval by Illinois Department of Natural Resources/Office of Water Resources (IDNR/OWR) and Federal Emergency Management Agency (FEMA) of a proposed change to the floodway map. This preconstruction approval, pursuant to this part, gives assurances to the property owner that once an Appropriate Use is constructed according to permitted plans, the floodway map can be changed, as previously agreed, upon review and acceptance of as-built plans.

CONDITIONAL LETTER OF MAP REVISION (CLOMR): A letter which indicates that FEMA will revise base flood elevations, flood insurance rate zones, flood boundaries or floodway as shown on an effective Flood Hazard Boundary Map or Flood Insurance Rate Map, once the as-built plans are submitted and approved.

CONTROL STRUCTURE: A structure designed to control the rate of flow that passes through the structure, given a specific upstream and downstream water surface elevation.

DAM: All obstructions, wall embankments or barriers, together with their abutments and appurtenant works, if any, constructed for the purpose of storing or diverting water or creating a pool. Underground water storage tanks are not included.

DESIGNATED FLOODWAY: The channel, including on-stream lakes, and that portion of the floodplain adjacent to a stream or watercourse as designated by IDNR/OWR, which is needed to store and convey the existing 100-year frequency flood discharge with no more than a 0.1 foot increase in stage due to the loss of flood conveyance or storage, and no more than a ten percent (10%) increase in velocities.

- a. The floodways are designated for the Village on the Flood Boundary and Floodway Map prepared by FEMA (or the Department of Housing and Urban Development) and dated.
- b. To locate the designated floodway boundary on any site, the designated floodway boundary should be scaled off the designated floodway map and located on a site plan, using reference marks common to both maps. Where interpretation is needed to determine the exact location of the designated floodway boundary, IDNR/OWR should be contacted for the interpretation.

DEVELOPMENT: Any human change to real estate, including:

- a. Construction, reconstruction, repair, or placement of a building or any addition to a building.
- b. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer or recreational vehicle on a site for more than one hundred and eighty (180) days. If the travel trailer or recreational vehicle is on site for less than one hundred and eighty (180) days, it must be fully licensed and ready for highway use.

DEVELOPMENT: Any human change to real estate, including:

- a. Construction, reconstruction, repair, or placement of a building or any addition to a building.
- b. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a travel trailer or recreational vehicle on a site for more than one hundred and eighty (180) days. If the travel trailer or recreational vehicle is on site for less than one hundred and eighty (180) days.
- c. Drilling, mining, installing utilities, construction of roads, bridges, or similar projects.
- d. Demolition of a structure or redevelopment of a site.
- e. Clearing of land as an adjunct of construction.
- f. Construction or erection of levees, walls, fences, dams, or culverts; channel modification; filling, dredging, grading, excavating, paving, or other alterations of the ground surface storage of materials; deposit of solid or liquid waste;
- g. Any other human activity that might change the direction, height, or velocity of flood or surface water, including extensive vegetation removal;

Development does not include maintenance of existing buildings and facilities such as re-roofing or re-surfacing of roads when there is no increase in elevation, or gardening, plowing, and similar agricultural practices that do not involve filling, grading or construction of levees.

EROSION: The general process whereby soils are moved by flowing water or wave action.

EXCAVATION: Any act by which the organic matter, earth, sand, gravel, rock, or any other similar material is cut into, dug, quarried, uncovered, removed, displaced, relocated, or bulldozed and shall include the conditions resulting therefrom.

EXISTING GRADE: The vertical location of the existing ground surface prior to excavation or filing.

FEMA: Federal Emergency Management Agency and its regulations at 44 CFR 59-79 effective as of September 29, 1989. This incorporation does not include any later editions or amendments.

FLOOD: A general and temporary condition of partial or complete inundation of normally dry land areas from overflow of inland or tidal waves, or the unusual and rapid accumulation or runoff of surface waters from any source.

FLOOD FREQUENCY: A period of years, based on a statistical analysis, during which a flood of a stated magnitude may be expected to be equaled or exceeded.

FLOOD FRINGE: That portion of the floodplain outside of the designated floodway.

FLOOD INSURANCE RATE MAPS (FIRM): Map prepared by FEMA that depicts the Special Flood Hazard Area (SFHA) within a community. This map includes insurance rate zones and floodplains and may or may not depict floodways.

FLOODPLAIN: Typically adjacent to a body of water with ground surface elevations at or below the base flood or the 100-year frequency flood elevation. Floodplains may also include detached Special Flood Hazard Areas, ponding areas, etc. The floodplain is also known as the Special Flood Hazard Area (SFHA).

- a. The floodplains are those lands within the jurisdiction of the County that are subject to inundation by the base flood or 100-year frequency flood. The SFHA's of the County are generally identified as such on the Flood Insurance Rate Map of the County prepared by the Federal Emergency Management Agency (of the U.S. Department of Housing and Urban Development) and dated per Appendix "A".

FLOODPROOFING: Any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODPROOFING CERTIFICATE: A form published by FEMA that is used to certify that a building has been designed and constructed to be structurally dry floodproofed to the flood protection elevation.

FLOOD PROTECTION ELEVATION (FPE): The elevation of the base flood or 100-year frequency flood plus two (2) feet of freeboard at any given location in the SFHA.

GRADE: The average level of the finished surface of the ground adjacent to the exterior walls of the building or structure.

HYDROLOGICAL AND HYDRAULIC CALCULATIONS: Engineering analysis which determine expected flood flows and flood elevations based on land characteristics and rainfall events.

IDNR/OWR: Illinois Department of Natural Resources, Office of Water Resources.

LESSER FLOOD WATER RUNOFF CHANNEL: That portion of a drainage system which lies upstream from the main channel and which is generally subject to intermittent flows. They are generally indicated on the U.S.G.S. Hydrological Atlas maps, and serve a tributary area of sixty (60) acres or more. Drainage below the level of a lesser channel is generally by means of a storm sewer.

LETTER OF MAP AMENDMENT (LOMA): Official determination by FEMA that a specific structure is not in a 100-year flood zone; amends the effective Flood Hazard Boundary Map (FHBM) or FIRM.

LETTER OF MAP REVISION (LOMR): Letter that revises base flood or 10-year frequency flood elevations, flood insurance rate zones, flood boundaries or floodways as shown on an effective FHBM or FIRM.

NATURAL: When used in reference to channels means those channels formed by the existing surface topography of the earth prior to changes made by humans. A natural stream tends to follow a meandering path; its floodplain is not constrained by levees; the area near the bank has not been cleared, mowed or cultivated; the stream flows over soil and geologic materials typical of the area with no substantial alteration of the course or cross-section of the stream caused by filling or excavating. A modified channel may regain some natural characteristics over time as the channel meanders and vegetation is re-established. Similarly, a modified channel may be restored to more natural conditions by humans through regarding and revegetation.

POND: A body of water with a depth that exceeds two and one-half (2.5) feet.

PUBLIC BODIES OF WATER: All open public streams and lakes capable of being navigated by watercraft, in whole or in part, for commercial uses and purposes, and all lakes, rivers, and streams which in their natural condition were capable of being improved and made navigable, or that are connected with or discharge their waters into navigable lakes or rivers within, or upon the borders of the State of Illinois, together with all bayous, sloughs, backwaters, and submerged lands that are open to the main channel or body of water directly accessible thereto.

PUBLIC FLOOD CONTROL PROJECT: A flood control project which will be operated and maintained by a public agency to reduce flood damages to existing buildings and structures which includes a hydrologic and hydraulic study of the existing and proposed conditions of the watershed. Nothing in this definition shall preclude the design, engineering, construction or financing, in whole or in part, of a flood control project by persons or parties who are not public agencies.

REGISTERED LAND SURVEYOR: A land surveyor registered in the State of Illinois, under The Illinois Land Surveyors Act. (225 ILCS 330/1, et seq.)

REGISTERED PROFESSIONAL ENGINEERING: An engineer registered in the State of Illinois, under The Illinois Professional Engineering Practice Act. (225 ILCS 325/1 et seq.)

RETENTION/DETENTION FACILITY: A retention facility stores stormwater runoff without a gravity release. A detention facility provides for storage of stormwater runoff and controlled release of this runoff during and after a flood or storm.

RUNOFF: The water derived from melting snow or rain falling on the land surface, flowing over the surface of the ground or collected in channels or conduits.

SEDIMENTATION: The processes that deposit soils, debris, and other materials either on other ground surfaces or in bodies of water or watercourses.

SPECIAL FLOOD HAZARD AREA (SFHA): Any base flood area subject to flooding from a river, creek, intermittent stream, ditch, or any other identified channel or ponding and shown on a Flood Hazard

Boundary Map or Flood Insurance Rate Map as Zone A, A0, A1-30, AE, A99, or AH with existing elevation less than the BFE.

SITE: A lot or parcel of land, or a contiguous combination thereof, where grading work is performed as a single unified operation.

SITE DEVELOPMENT: Altering terrain and/or vegetation and construction improvements.

STREAM: Any river, creek, brook, branch, flowage, ravine, or natural or man-made drainage way which has a definite bed and banks or shoreline, in or into which surface or groundwater flows, either perennially or intermittently.

STRIPPING: Any activity which removes the vegetative surface cover including tree removal, clearing, and storage or removal of top soil.

STRUCTURE: Anything constructed or erected on or below the ground, including the construction, reconstruction or placement of a building or any addition to a building.

SUBSTANTIAL DAMAGE: A building is considered substantially damaged when it sustains damage from any cause (fire, flood, earthquake, etc.), whereby the cost of fully restoring the structure would equal or exceed fifty percent (50%) of the pre-damage market value of the structure, regardless of the actual repair work performed.

SUBSTANTIAL IMPROVEMENT:

- a. Any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.
- b. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.
- c. The term does not, however include either (a) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or (b) any alterations of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a historic structure.

WETLANDS: Areas that (i) are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, and are subject to the regulations of the U.S. Army Corps of Engineers under Section 404 of the Clean Water Act or (ii) are otherwise defined as Wetlands under the ordinances of the Village.