

**BOARD OF SUPERVISORS  
COUNTY OF LOUISA  
ORDINANCE**

At a regular meeting of the Board of Supervisors of the County of Louisa held in the Louisa County Public Meeting Room at 6:00 PM on the 26th day of October 2016, at which the following members were present, the following ordinance was adopted by a majority of all members of the Board of Supervisors, the vote being recorded in the minutes of the meeting as shown below:

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Fitzgerald A. Barnes, Patrick Henry District Supervisor
<b>SECONDER:</b>	Richard A. Havasy, Green Springs District Supervisor
<b>AYES:</b>	Barlow, Barnes, Gentry Jr., Havasy, Wade, Koren, Williams

**AN ORDINANCE ADOPTING LOUISA COUNTY'S FLOODPLAIN ORDINANCE**

WHEREAS, a community's participation in the National Flood Insurance Program is conditioned on having adopted a floodplain ordinance; and

WHEREAS, to satisfy the requirements of participation in the National Flood Insurance Program the Louisa County Board of Supervisors has published notice of its intention to adopt this ordinance, which may be commonly referenced as Louisa County's "Floodplain Ordinance", in accordance with the Va. Code Ann. §15.2-1427;

NOW THEREFORE BE IT ORDAINED that pursuant to its authority under Va. Code Ann. §15.2-1427 the Board of Supervisors of Louisa County, Virginia hereby adopts and enacts these provisions, *effective October 3, 2016*, to the Louisa County Code as follows:

**DEFINITIONS**

*Buy line means property line.*

*Development means any man-made change to habitable buildings or structures.*

*Floodplain means the land in the floodplain subject to a one percent (1%) chance of being flooded in any given year.*

*Floodplain Administrator means the County Director of Community Development.*

1. The floodplain in Louisa is specifically defined to be the land which is delineated as the 100 year floodplain (Zone A) on the floodplain map prepared by the County of Louisa, as amended.

a. All land along the entire shoreline of Lake Louisa west of State Road 669, or adjoining Lake Anna, not owned by Dominion or outside of its buy line or property line, shall not be included in the 100 year floodplain.

b. This 100 year floodplain map is approximate. If a landowner contends that the landowner's land is not in the 100 year floodplain area, any determination to the contrary may be appealed to the Louisa County Board of Supervisors for determination, with the right of appeal of any adverse decision to the Circuit Court of Louisa.

2. The floodplain map may be amended from time to time as elevations, contours and topographic information become available.

a. If the area within the 100 year floodplain is lessened, it may be done administratively by the Floodplain Administrator. If the area in the 100 year floodplain is increased, it must be done by the Board of Supervisors after notice to the landowner affected and a public hearing.

b. The Director of Community Development is hereby appointed to administer and implement these regulations, and is referred to herein as the Floodplain Administrator. In the absence of a designated Floodplain Administrator, the duties may be conducted by the County's chief administrative officer.

3. This ordinance shall regulate construction of, repair or additions to, habitable buildings in the 100 year floodplain only. All other uses of land in the 100 year floodplain are permitted by-right without the requirement of a building permit, as long as they are allowed by Louisa County zoning laws.

a. Construction of, repair or additions to, habitable buildings shall be permitted in the 100 year floodplain area as well if it complies with all County and State building code requirements.

4. In order for a landowner to obtain a building permit in the 100 year floodplain area, the following must occur:

a. The landowner shall be advised in writing that he is building in the 100 year floodplain area, and he assumes the risk of any and all damage that occurs from flood.

b. The landowner shall release the County from any and all liability because he has chosen to build in the 100 year floodplain.

c. The floodplain area must be designated on the plat of the property recorded in the Clerk's Office and with the building permit.

d. The landowner shall acknowledge in writing that he will be responsible for determining if flood insurance is available from the National Flood Insurance Program or other sources.

DONE this 26<sup>th</sup> day of October, 2016

VOTING AYE: Tommy J. Barlow, Fitzgerald A. Barnes, Willie L. Gentry, Jr., Richard A. Havasy, Troy J. Wade, Stephanie L. Koren, and R.T. Williams

VOTING NAY:

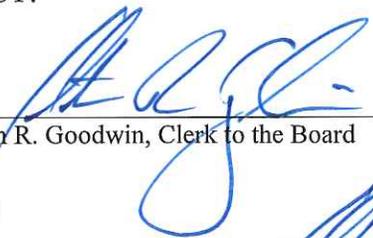
ABSTAINING:

ABSENT:

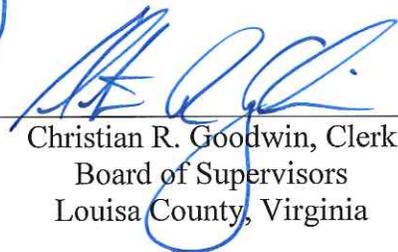
Witness this signature and seal

  
\_\_\_\_\_  
Troy Wade, Chairman  
Board of Supervisors of Louisa County, Virginia

ATTEST:

  
\_\_\_\_\_  
Christian R. Goodwin, Clerk to the Board

A Copy, teste:

  
\_\_\_\_\_  
Christian R. Goodwin, Clerk  
Board of Supervisors  
Louisa County, Virginia