

SUMMARY ORDINANCE NO. 124

AN ORDINANCE OF NEZ PERCE COUNTY AMENDING AND ENACTING TITLE 101 GENERAL AND ADMINISTRATIVE PROVISIONS, SECTION 101.01.030 – DEFINITIONS AND TITLE 104 FLOOD CONTROL OF THE NEZ PERCE COUNTY LAND DEVELOPMENT CODE, AND FURTHER PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF NEZ PERCE COUNTY, IDAHO:

Amendments to Nez Perce County Code Land Development Code are in Section 1 amending the Definitions for **Title 101 - Section 101.01.030** to amend certain flood control ordinance definitions.

Title 104 – Flood Control, Chapter 104.01, Section 104.01.010 – Statutory Authorization is amended to include updated Idaho Code.

Chapter 104.04 General Provisions, Section 104.04.020 Basis for special flood hazard areas is amended to add digital flood insurance rate maps (DFIRMs), **Section 104.04.080 – Penalties for violation** is amended by adding the following language:

Any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$100 or imprisoned for not more than 180 days or both. Each day the violation continues shall be considered a separate offense. Nothing herein contained shall prevent Nez Perce County from taking such other lawful actions as is necessary to prevent or remedy any violation.

Chapter 104.08 Administration, Section 104.08.020 – Duties and responsibilities of the floodplain administrator adds the applicable IDAPA Code and identifies the LOMC procedure and Hydraulic and Hydrology Analysis, states that a temporary Certificate of Occupancy or Certificate of Compliance will NEVER be issued for any structure in the floodplain, adds actions for when damage occurs to building(s), and requires plan review for public utilities.

Section 104.08.030 – Floodplain development application, permit, and certification requirements amends flood zones, floodproofing certificate, updates flood zones, identifies Hydraulic & Hydrology Analysis and LOMC procedure, and allows the floodplain administrator to request additional information for review of public safety and floodplain management requirements.

Section 104.08.040 - Corrective Procedures for when violations occur is amended.

Section 104.08.050 - Variance Procedure is amended to remove the \$ amount for premium rates for flood insurance.

Chapter 104.12 - Provisions for Flood Hazard Reduction, **Section 104.12.010** – General Standards is amended to update affected zones and include applicable IDAPA code.

Section 104.12.020 – Specific Standards is amended to update affected zones, amend standards for accessory structures, and amend the Irrigation Floodplain Development Permit requirements.

Section 104.12.060 – Standards for areas of shallow flooding (Zone AO or AH) was removed.

Chapter 104.16- Legal Status Provisions, Section 104.16.010 Effect on rights and liabilities under the existing flood damage prevention ordinance is amended to document the Ordinance Number and date of Flood Damage Reduction Ordinance that is in effect.

Section 104.16.040 – Effective Date amended to October 29, 2026

This Ordinance shall take full force upon its approval, passage, and publication in one (1) edition of the Lewiston Morning Tribune, a newspaper of general circulation within Nez Perce County, Idaho.

Regularly passed, approved, and adopted by the Board of Commissioners of the County of Nez Perce, state of Idaho, on this 19th day of October, 2026.

BOARD OF COUNTY COMMISSIONERS
Nez Perce County, Idaho
/s/ JOSEPH B. GISH, Chairman
/s/ HANNAH LIEDKIE, Acting Chairman
/s/ DOUGLAS W. HAVENS, Member

/s/DeeAnn Wittman, Deputy
PATTY O. WEEKS
CLERK, Nez Perce County

The full text of this Ordinance is available at the Nez Perce County Planning and Building Services Office, located at 1230 Main Street, Lewiston, ID 83501. Office hours are Monday through Thursday 7:00 a.m. - 5:00 p.m. and Friday 7:00 a.m. – Noon. This summary is true and complete and provides adequate notice to the public.

/s/ Patty O. Weeks
PATTY O. WEEKS, Clerk
Nez Perce County, Idaho