

**CITY OF LAPWAI
SUMMARY OF ORDINANCE NO. 382**

ORDINANCE NO. 382: AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF LAPWAI, ADOPTING A FLOOD DAMAGE PREVENTION ORDINANCE TO SUPERCEDE LAPWAI MUNICIPAL CODE TITLE XV: LAND USAGE CHAPTER 153 FLOOD DAMAGE PREVENTION AND PROVIDING AN EFFECTIVE DATE.

This Ordinance supersedes Lapwai Municipal Code Title XV: Land Usage, Chapter 153. "Flood Damage Prevention" in its entirety. It's principal provisions:

- (1) Adopts by reference the Flood Insurance Study for Nez Perce County, Idaho and Incorporated Areas, dated October 29, 2026, and the accompanying Flood Insurance Rate Maps. Both are on file with the City Clerk.
- (2) Requires a Floodplain Development Permit before any development within a Special Flood Hazard Area. Permit applications outside those areas are reviewed to determine whether building sites are reasonably safe from flooding.
- (3) Designates the City Clerk as Floodplain Administrator. The Administrator may review applications, require elevation and floodproofing certificates, inspect work, issue stop-work orders, and revoke permits.
- (4) Sets the Flood Protection Elevation at two feet above the Base Flood Elevation. In areas without a Base Flood Elevation, it is two feet above the highest adjacent grade.
- (5) Establishes standards for residential and nonresidential construction, manufactured homes, recreational vehicles, temporary structures, accessory and agricultural structures, tanks, crawlspaces, subdivisions, critical facilities, irrigation activities, bridges and culverts, and development in floodways.
- (6) Provides procedures for corrective action. These include notice and a hearing before the Floodplain Administrator and an appeal to the City Council.
- (7) Authorizes the City Council to hear and decide variances, with judicial review under Idaho Code 67-6535.
- (8) Re-enacts the City's prior flood damage prevention provisions without interruption, preserving rights and liabilities that accrued under them. It also provides for repealer and severability.

Penalties: Violation of the ordinance, or failure to comply with any of its requirements or with conditions of a variance, is a misdemeanor. Upon conviction, it is punishable by a fine of not more than One Hundred Dollars (\$100), imprisonment for not more than 180 days, or both. Each day a violation continues is a separate offense. Violating a stop-work order and failing to comply with a final corrective action order are both misdemeanors. The City may take any other lawful action to prevent or remedy a violation.

Ordinance No. 382 is effective upon passage, approval and publication as required by law.

CITY OF LAPWAI

By: Antonio Smith
Mayor

Attest: Ruby Moses
City Clerk Manager

The full text of this ordinance is available at the City Clerk's office, Lapwai City Hall, 315 S Main St, Lapwai, during regular business hours. I, McKenzie R. Lewis, City Attorney, reviewed the foregoing Summary of Ordinance No. 382. The summary is true and complete, and provides adequate notice to the public pursuant to Idaho Code 50-901A.

Dated this 27th day of October, 2026.

/s/ McKenzie R. Lewis
McKenzie R. Lewis
City Attorney