



LOCATION: City Hall, 205 N. Augusta Ave., Oxford, IA 52322

DATE: November 11, 2025

TIME: 7:00PM

MAYOR: Heather Johnson

CITY CLERK: Taylor Tvedte

COUNCIL MEMBERS: Martie Reihman, Tim Hennes, Bryan Cooling, Kyle Volk, Adam Roberts

Public notice is hereby given that the above-mentioned government body will hold a regularly scheduled city council meeting at the date, time, and location outlined above. The agenda set forth for this meeting is as follows below. Adjustments to any meeting agendas can take place up to 24-hours prior to the scheduled meeting. Please note that all city council meetings are recorded.

Meeting Agenda

If you would like to request to be added to a city council meeting agenda or require assistance in attending a city council meeting, please contact the City Clerk, Taylor Tvedte at 319-828-4742 or oxfordcityhall@southslope.net during normal business hours and at least 3 business days prior to the next regularly scheduled meeting.

Attendees that are not listed on a city council meeting agenda may only address the city council during the public comment period of the meeting. Please refer to additional information regarding public comment below. The city council will only act on items listed on the meeting agenda.

1. CALL TO ORDER AND ROLL CALL
2. APPROVAL OF THE AGENDA AS PRESENTED
3. APPROVAL OF THE CONSENT AGENDAS
 - a. City Council Meeting Minutes – October 14, 2025
 - b. November 2025 Accounts Payables
4. MAYORS REPORT - Heather Johnson
5. SHERIFF'S REPORT - Johnson County Sheriff's Department
6. LIBRARY REPORT - Lauren Roberts
7. EMERGENCY SERVICES REPORT - Jim Hennes, Jacinda Bunch
8. PUBLIC WORKS REPORT - Scot Wetjen, Terry Stockman
9. HART FREDERICK ENGINEERING REPORT - Ben Carhoff
 - a. Sewer Plant Upgrades
 - i. Public Notice for Environmental Review
 - ii. Set Bid Letting Date
 - b. Center Street Bridge Replacement
10. CITY CLERKS REPORT - Taylor Tvedte
 - a. Approve City Clerks Report
 - b. Street Financial Report
 - c. Annual Financial Report
 - d. Annual Urban Renewal Report
11. OTHER BUSINESS
 - a. Traveling Tapster Liquor License
 - b. Steve Sedlacek – 609 N. Augusta Ave.
 - c. Regular City Council meeting Time Shift (Change to 6pm from November-March)
12. ORDINANCES and RESOLUTIONS
 - a. Approval of Updated Floodplain Ordinance 12-1
13. PUBLIC COMMENT: ***Individuals may address the mayor and city council during this time, regarding topics that are not listed on the agenda. Individuals will be granted a maximum of 2 minutes of speaking time and are required to state their name and address for the record. No action will be taken on any topics discussed during the public comment period.***
14. MOTION TO ADJOURN MEETING

City of Oxford
Regular Council
Meeting Oxford City
Hall
October 14th, 2025
7:00 PM

Johnson called the meeting to order at 7:00 PM. Roll call was taken. Present: Reihman, Hennes, Cooling, Roberts. Absent: Volk.

Hennes motioned to approve the agenda as presented Roberts seconded. All ayes. Motion carried.

Cooling motioned to approve the consent agendas Roberts seconded. All ayes. Motion carried.

Public Hearings: None.

Mayors Report: Nothing to Report.

Sheriffs report: Deput Present. Reported that parking facing the correct way with traffic has improved.

Library Report: August saw 291 patrons and 58 program attendees. Lauren noted that at the beginning of October we held our Fall Book Sale where we had 126 attendees throughout the day and raised \$732 for our future programming. Lauren attended a conference for continuing education. Special Halloween themed activities are set to happen including Movie in the park and other activities.

Emergency Services Report: None, no member present.

Public works Report: Public Works Director Scot Absent but sent report. Assistant Public Works Director Terry Present. After hour alarms-3. Hydrants will be flushed in October 20-24. Ammonia levels were a little high the first two weeks of the month due to one SBR tank out of service at our waste water plant. But we are back on track for the second half of the month. Hennes Motioned the approval of Wage increase for Public Works Director Scot at \$42.32 with no wage increase July 2026 and forgiveness of educational reimbursement if employee chooses to leave position before 3 years as stated in the handbook. Cooling Seconded. All Ayes. Motion Carried.

Engineer Report: Engineer Absent- sent report via email. Center St Bridge Preconstruction meeting will take place Oct. 21 at 10 am. Sewer Plant updated Electrical Engineer is finalizing plans and specifications.

Clerks Report: Hennes approved Clerks Report. Roberts. Seconded. All ayes. Motion carried.

Other Business: 11a. Notice of Violations Report stating that those that haven't corrected the violations the Public Works Team will access and either do the work in House or hire it out. 11b. Steve Sedlacek 609 N Augusta brought to council he would like to build a lean to garage but County is asking to annex the piece of land into the county, City responds that he annex his property to the City. Steve Stated that the bus will not stop at his house if he is marked city. Hennes said he will stop at the School Building and confirm but that the school bus should stop whether it is City or County as he is more than 2 miles from the school his child attends. Council spoke about having deed restriction including both pieces of properties and noted that the properties should not be sold separately. Council also noted to confirm with Alliant Energy prior to starting project. Decided it will be revisited after speaking with the School District. 11c. Hennes motioned to approve Trick or Treating from 5-7pm on October 31st 2025. Roberts Seconded, All ayes.

Ordinances and/or Resolution: Hennes motioned to approve Resolution 2025-04 Extending the Maturing Date of the City's Loan and Disbursement Agreement. Cooling Seconded. Roll Call: Reihman, Hennes, Cooling, Roberts all ayes.

Public Comments: None. Members of the community present.

City Council Comments: Speak of Local option Sales Tax and the benefits it could bring to the Town as the amount of money that Oxford Residents are spending in other towns could come back to benefit our town and if we vote no than Oxford would not receive any of that money. Could offset that the State cut the Library Tax. Cooling Suggest raise for Library Director to be brought up at next budget discussion.

Hennes motioned to adjourn and Roberts seconded. All ayes. Motion Carried. Adjourned at 7:56 PM.

Heather Johnson, Mayor

ATTEST: _____

Taylor Tvedte, City Clerk

*These are not official meeting minutes until approved by council.

Oct 2025 Accounts Payables	\$	Fund
UNUM	505.74	general
Big Country Seed	240	general
Johnson County Sheriff	3211	general
Hart-Frederick Consultants	31525	WWTP Phase II
Hart-Frederick Consultants	6074	Center Street Bridge
Linn County Rural	1,440.70	road/water
USA Blue Book	271.75	water
Wellmark	5550.46	general
MidAmerican Energy	29.16	
Leaf	136.5	general
Southslope	665.75	general
Washington Pest	80	general
US Cellular	78.24	water
Iowa Pump Works	3747.2	sewer
Team Lab	1299.5	sewer
Iowa One Call	19	general
Iowa DNR	115	water
Fire Service Training Bureau	150	Fire
Smith Sanitation	6557.5	general
The Depot	592.75	fire/streets
State Hygienic Lab	495.5	water
The Gazette	77.34	general
LL Pelling CO	2053.12	general
Marco	33.05	library
The Northway Corporation	18199.25	water
Relion	475	general
VISA	3,342.39	
Total	86964.9	

Nov 2025 Accounts Payables

	\$	Fund
Johnson County Sheriff	3211	General - Police Protection
Marco	33.05	Library - Printer
State Chemical Solutions	882.41	Sewer - Drain Main Program
Ollinger Garage Doors Inc	162.5	General - Fire Door
Steve's Electric Inc	656.93	Sewer - Repair install
US Celluar	77.64	Water - Water Tower
Iowa Rural Water Association	315	Water - Yearly Fees
Wellmark	4086.58	General - insurance
MidAmerican Energy	31.3	General - Electric
Southslope	668.66	General - internet/phones
Iowa Pump Works	11246.15	Sewer - Pump Parts
Team Lab	1977.5	Sewer - Chemicals
Fire Service Training Bureau	50	General - Fire Training
State Hygienic Lab	733.5	Sewer/Water - Chemical Test
Ferguson Water Works	1644.65	Water - Meter Parts
Office Express	29.99	General - Supplies City Hall
Gworks	8400	General - Annual Program Fee
Taylor Construction INC	7493.25	Center St Bridge
Chem Sult INC	1282.4	Sewer - Chemicals
The Gazette	112.56	General - Legals Publishing
Unum	252.87	General - STD LTD
Smith Sanitation	6557.5	General - Garbage Contract
The Depot	330.06	Streets - Gas
The Depot	137.73	Fire - Gas
Leaf	65	General - City Hall Copier
VISA	4,429.65	
Total	54867.88	

LIBRARY REPORT

November 11th, 2025

- October Stats:
 - 492 patrons
 - 10/24 = 553
 - 372 program attendees
 - 10/24 = 324
- Key program highlights:
 - Movie in the Park: 72 attendees & 8 volunteers throughout the night
 - Plum Spooky with Johnson County Historical Society: 50 attendees to table
 - Wacky Wednesday-Spooky Cupcakes: 13 attendees & Posy Bakery & Cakes owner led instruction and donated supplies
 - Trick-or-Treat: 74 attendees
- Costume Closet was a success with over 20 full costumes & accessories taken throughout October. We're currently taking donations to replenish the closet throughout November
- OPL will be partnering with publisher PaperPie for an Adopt-a-Book event starting November 16th where people can gift books off of a wishlist we've curated to go into the library's collection or (using a direct link that will be available) can purchase books for themselves and proceeds from the purchase will go towards free books for the library.
- Given the loss of our book wholesaler we've decided to work with local independent bookstore Sidekick Coffee & Books for future purchasing and curation of our children's collection. We've also put into motion ideas for future fundraising both at their store and the library that can be put towards books in the future.
- Johnson County Public Health is currently traveling to libraries across the county as they conduct their Community Status Assessment 2025 Survey. This survey helps them gather information anonymously that can better inform them how to aid those living in Johnson County. They held a table at the library in October and will be here once again on Nov. 21 from 2-4pm.
- We're also partnering with Learning Specialist Lauren Dursky from Enrichment Therapy & Learning Center in North Liberty to host an early literacy story time and information session come January and we'll be working with them to add resources, along with early literacy information to our StoryWalk at Creekside Park.
- OPL will be presenting with fellow Johnson County Public Libraries director at their annual Legislative Reception on Monday December 1st at 5:30pm at Iowa City Public Library where both local and state representatives are invited to learn more about our libraries and the integral part they play in their respective communities.
- LUO Fun Night planning is in the works with more information coming out this month.

Public Works Department Monthly Report

(November 2025)

- After hour alarms – 4
- Locates – 14
- Emergency Locates – 0
- Water Disconnects – 0
- Monthly DNR sampling, testing, along with paper work and monthly reports for our drinking water and waste water.
- Both well # 4 and well #5 have been serviced, cleaned and are complete.
- Well # 5 pump needed to be replaced due to a broken impeller blade.
- We completed our annual hydrant flushing for 2025. All 63 hydrants are in good working condition.
- We have confirmed our process to drain the water tower this coming spring for cleaning and inspection.
- Terry passed his grade 1 waste water exam this month. Terry now has all of his grade 1 certifications. He is checking into starting on his grade 2 certifications.
- Our new bridge construction is under way.
- We had 6 extra not routine tests to do this month in order to comply with our drinking water facility permit.
- Scot attended the Iowa Rural Rater conference in Dubuque this month. This also counted for 10 continuing education credits towards keeping certification status up to date.

- We have received our spare hydro pump for our SBR tanks at the waste water treatment plant.
- Terry and Scot spent 4 ½ hours each cleaning up weeds, brush, and small trees at 215 East State Street.
- We are winterizing and performing maintenance on all heat tapes/heaters, etc. at all locations.
- We are starting to gear up on equipment maintenance for the upcoming snow season.
- We are working on replacing water meters that we have a hard time getting readings on, as we have time.

Engineer Ben Carhoff Report:

I will not be able to attend the November meeting. I will be returning from a wedding in Mississippi. I can be available by phone during the meeting; please call if there are any questions.

Center Street Bridge:

The preconstruction meeting was held on October 21. Several Contractor, Utility, IDOT and City representatives were present. The Contractor began work on November 3. They will do as much as they can as weather permits, then suspend work until early spring. Their initial schedule shows project completion in June 2026. City staff will coordinate the removal of the concrete barriers when the Contractor install construction signage. The Contractor was instructed to not start equipment engines until after 7:00AM to ensure compliance with the City's Noise Ordinance. Pay Estimate 01 has been processed. This is for the required initial mobilization payment required by the specifications. The bridge deck and beams have been completely removed. We have a project inspector on site while work is being performed. Pile driving for the new abutments should start next Wednesday.

WWTP:

There is a Public Notice regarding the environmental review for the project that needs to be posted/published. Following posting of the Notice, there is a 30-day comment period. Bidding of the project must be delayed until the comment period has concluded and any comments received are addressed. Plans, specifications and the permit application will be submitted to IDNR near the end of the comment period to try to minimize delays in the permit review. Quotes for the electrical service upgrade portion of the project will now be received in January. Council needs to pick a date for receiving the electrical quotes. The electrical work may be awarded at the February meeting. The completion date for the electrical work will now be late June, but the building construction bids can be received this coming spring as previously planned. The lead-time on equipment and materials will likely not cause major conflicts with the electrical upgrade work.

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN THAT THE CITY OF OXFORD WASTEWATER TREATMENT PLANT IMPROVEMENTS PHASE 2 PROJECT IS ELIGIBLE FOR A CATEGORICAL EXCLUSION FROM NEPA REVIEW. THIS PROJECT IS BEING FUNDED IN PART OR WHOLE BY SRF FUNDING.

The proposed project was reviewed by the Iowa Department of Natural Resources (DNR) for eligibility for a categorical exclusion from NEPA review specified in the 40 CFR (Code of Federal Regulations) Part 6.204. The project meets all criteria described in the above reference, and it was determined that this project is eligible for a Categorical Exclusion. Consequently, a preliminary decision has been made that a Finding of No Significant Impact (FNSI) will not be prepared.

This action is taken on the basis of a careful review of supporting information that is on file at the DNR's Des Moines, Iowa office. The Categorical Exclusion documentation for this project is available online at <https://www.iowasrf.com/environmental-review/>. The DNR will not take any administrative action on the project for at least thirty (30) calendar days from the publication of this Notice. Persons disagreeing with the above environmental decision may submit comments to SRF-PC@dnr.iowa.gov during this period. For further information, please contact Rebecca Flynn Kettman at Rebecca.FlynnKettman@dnr.iowa.gov or 515-204-5672.

SAMPLE FLOODPLAIN MANAGEMENT ORDINANCE

FOR IOWA CITIES WITH DETAILED FLOOD INSURANCE STUDIES

LEGAL AUTHORITY: CHAPTER 364, CODE OF IOWA

The attached sample ordinance is designed to meet the minimum requirements for acceptance in the National Flood Insurance Program for cities which have a detailed Flood Insurance Study (FIS) issued by the Federal Emergency Management Agency (FEMA). Specific floodplain management criteria are set forth in **Section 60.3(d)** of the rules and regulations as published in the October 1, 1994, Federal Register.

This ordinance is a special-purpose ordinance established under authority of Chapter 364 of the Iowa Code (**city home rule**). It should be stressed that this is only a sample and that each community should carefully review the content of the ordinance to ensure that it is compatible with existing community administration, policies, etc.

This ordinance establishes a development permit system which requires a permit for all development within areas of significant flood hazard as identified by the Flood Insurance Study. Specific performance standards for construction within that area are given in Section V of this ordinance.

Areas where you must insert your appropriate local information are denoted in **(RED FONT)**. Please insert the appropriate information in those designated areas and change to black font.

Suggested higher standards and other optional/alternative language are denoted in **(BLUE FONT)** font. Informational notes are denoted in **(GREEN FONT)** font. If you choose to adopt a suggested optional/alternative language, please convert that portion to **black** font and remove the *italic* formatting.

Please delete any unused optional/alternative language and informational notes from the ordinance before adoption.

Please feel free to call or write if you have any questions:

Ken Bouma

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Floodplain Management and Dam Safety Section
Iowa Department of Natural Resources
6200 Park Ave
Des Moines, Iowa 50321

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FLOODPLAIN MANAGEMENT ORDINANCE

12-1-1: Definitions

Unless specifically defined below, words or phrases used in this Ordinance shall be interpreted so as to give them the meaning they have in common usage and to give this Ordinance its most reasonable application.

APPURTENANT STRUCTURE - A structure which is on the same parcel of the property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

BASE FLOOD - The flood having one (1) percent chance of being equaled or exceeded in any given year (Also commonly referred to as the "100-year flood").

BASE FLOOD ELEVATION (BFE) - The elevation floodwaters would reach at a particular site during the occurrence of a base flood event.

BASEMENT - Any enclosed area of a building which has its floor or lowest level below ground level (subgrade) on all sides. Also see "lowest floor."

DEVELOPMENT - Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials. "Development" does not include "minor projects" or "routine maintenance of existing buildings and facilities" as defined in this section. It also does not include gardening, plowing, and similar practices that do not involve filling or grading.

ENCLOSED AREA BELOW LOWEST FLOOR - The floor of the lowest enclosed area in a building when all the following criteria are met:

- A. The enclosed area is designed to flood to equalize hydrostatic pressure during flood events with walls or openings that satisfy the provisions of subsection 12-1-5(A)(4)(a) of this Ordinance, and
- B. The enclosed area is unfinished (not carpeted, drywalled, etc.) and used solely for low damage potential uses such as building access, parking or storage, and
- C. Machinery and service facilities (e.g., hot water heater, furnace, electrical service) contained in the enclosed area are located at least one (1) foot above the base flood elevation, and
- D. The enclosed area is not a "basement" as defined in this section.

EXISTING CONSTRUCTION - Any structure for which the "start of construction" commenced before the effective date of the first floodplain management regulations adopted by the community.

EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the first floodplain management regulations adopted by the community.

EXPANSION OF EXISTING FACTORY-BUILT HOME PARK OR SUBDIVISION - The preparation of additional sites by the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FACTORY-BUILT HOME - Any structure, designed for residential use which is wholly or in substantial part, made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on a building site. For the purpose of this Ordinance factory-built homes include mobile homes, manufactured homes, and modular homes; and also include "recreational vehicles" which are placed on a site for greater than 180 consecutive days and not fully licensed for and ready for highway use.

FACTORY-BUILT HOME PARK OR SUBDIVISION - A parcel or contiguous parcels of land divided into two or more factory-built home lots for sale or lease.

FIVE HUNDRED (500) YEAR FLOOD - A flood, the magnitude of which has a two-tenths (0.2) percent chance of being equaled or exceeded in any given year or which, on average, will be equaled or exceeded at least once every five hundred (500) years.

FLOOD - A general and temporary condition of partial or complete inundation of normally dry land areas resulting from the overflow of streams or rivers or from the unusual and rapid runoff of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - The official map prepared as part of (but published separately from) the Flood Insurance Study which delineates both the flood hazard areas and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - A report published by FEMA for a community issued along with the community's Flood Insurance Rate Map(s). The study contains such background data as the base flood discharge and water surface elevations that were used to prepare the FIRM.

FLOODPLAIN - Any land area susceptible to being inundated by water as a result of a flood.

FLOODPLAIN MANAGEMENT - An overall program of corrective and preventive measures for reducing flood damages and promoting the wise use of floodplains, including but not limited to emergency preparedness plans, flood control works, floodproofing and floodplain management regulations.

FLOODPROOFING - Any combination of structural and nonstructural additions, changes, or adjustments to structures, including utility and sanitary facilities, which will reduce or eliminate flood damage to such structures.

FLOODWAY - The channel of a river or stream and those portions of the floodplains adjoining the channel, which are reasonably required to carry and discharge flood waters or flood flows so that confinement of flood flows to the floodway area will not cumulatively increase the water surface elevation of the base flood by more than one (1) foot.

FLOODWAY FRINGE - Those portions of the Special Flood Hazard Area outside the floodway.

HIGHEST ADJACENT GRADE - The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE - Any structure that is:

- A. Listed individually in the National Register of Historic Places, maintained by the Department of Interior, or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing of the National Register;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or,
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by either i) an approved state program as determined by the Secretary of the Interior or ii) directly by the Secretary of the Interior in states without approved programs.

LOWEST FLOOR - The floor of the lowest enclosed area in a building including a basement except when the criteria listed in the definition of Enclosed Area below Lowest Floor are met.

MAXIMUM DAMAGE POTENTIAL DEVELOPMENT - Hospitals and like institutions; buildings or building complexes containing documents, data, or instruments of great public value; buildings or building complexes containing materials dangerous to the public or fuel storage facilities; power installations needed in emergency or other buildings or building complexes similar in nature or use.

MINOR PROJECTS - Small development activities (except for filling, grading and excavating) valued at less than \$500.

NEW CONSTRUCTION - (new buildings, factory-built home parks) - Those structures or development for which the start of construction commenced on or after the effective date of the first floodplain management regulations adopted by the community.

NEW FACTORY-BUILT HOME PARK OR SUBDIVISION - A factory-built home park or subdivision for which the construction of facilities for servicing the lots on which the factory-built homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the first floodplain management regulations adopted by the community.

RECREATIONAL VEHICLE - A vehicle which is:

- A. Built on a single chassis;
- B. Four hundred (400) square feet or less when measured at the largest horizontal projection;
- C. Designed to be self-propelled or permanently towable by a light duty truck; and
- D. Designed primarily not for use as a permanent dwelling but as a temporary living quarters for recreational, camping, travel, or seasonal use.

REPETITIVE LOSS – A structure covered by an NFIP flood insurance policy that has incurred flood-related damages on two occasions during a 10-year period on the date of the event for which a second claim is made, in which the cost of repairing the flood damage, on average, equaled or exceed 25% of the market value of the structure at the time of each such flood event.

ROUTINE MAINTENANCE OF EXISTING BUILDINGS AND FACILITIES - Repairs necessary to keep a structure in a safe and habitable condition that do not trigger a building permit, provided they are not associated with a general improvement of the structure or repair of a damaged structure. Such repairs include:

- A. Normal maintenance of structures such as re-roofing, replacing roofing tiles and replacing siding;
- B. Exterior and interior painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work;
- C. Basement sealing;
- D. Repairing or replacing damaged or broken window panes;
- E. Repairing plumbing systems, electrical systems, heating or air conditioning systems and repairing wells or septic systems.

SPECIAL FLOOD HAZARD AREA (SFHA) - The land within a community subject to the “base flood”. This land is identified on the community’s Flood Insurance Rate Map as Zone A, A1-30, AE, AH, AO, AR, and/or A99.

START OF CONSTRUCTION - Includes substantial improvement, and means the date the development permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement, was within 180 days of the permit date. The actual start means either the first placement or permanent construction of a structure on a site, such as pouring of a slab or footings, the installation of pile, the construction of columns, or any work beyond the stage of excavation; or the placement of a factory-built home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings such as garages or sheds not occupied as dwelling units or not part of the main structure. For a

substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of the building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE - Anything constructed or erected on the ground or attached to the ground, including, but not limited to, buildings, factories, sheds, cabins, factory-built homes, storage tanks, grain storage facilities and/or other similar uses.

SUBSTANTIAL DAMAGE - Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed fifty (50) percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.

(OPTIONAL LANGUAGE: Substantial damage also means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred. Volunteer labor and donated materials shall be included in the estimated cost of repair.)

SUBSTANTIAL IMPROVEMENT - Any improvement to a structure which satisfies either of the following criteria:

- A. Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either (i) before the “start of construction” of the improvement, or (ii) if the structure has been “substantially damaged” and is being restored, before the damage occurred.

(ALTERNATIVE LANGUAGE: Any repair, reconstruction or improvement of a structure taking place during a 10-year period, the cumulative cost of which, equals or exceeds fifty (50) percent of the market value of the structure either (i) before the “start of construction” of the first improvement of the structure, or (ii) if the structure has been “substantially damaged” and is being restored, before the damage occurred.)

The term does not, however, include any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions. The term also does not include any alteration of an “historic structure”, provided the alteration will not preclude the structure’s designation as an “historic structure”. *[NOTE: An alternative to exempting substantially improved/damaged historic structures from the elevation requirements of the ordinance by definition would be to handle them individually through the variance process. This option provides the community an opportunity to require that all reasonable measures are used to reduce the structure’s flood damage potential (e.g., by relocating utilities above the base flood elevation, using flood resistant materials where practicable, etc.), provided those measures do not preclude the structure’s designation as an “historic structure.” If this alternative is preferred, the last sentence of the previous paragraph (referring to “historic structures” should be deleted.)]*

- B. Any addition which increases the original floor area of a building by 25 percent or more. All additions constructed after the effective date of the first floodplain management regulations adopted by the community shall be added to any proposed addition in determining whether the total increase in original floor space would exceed 25 percent.

VARIANCE - A grant of relief by a community from the terms of the floodplain management regulations.

VIOLATION - The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations.

12-1-2: Statutory Authority, Findings of Fact and Purpose

- A. The Legislature of the State of Iowa has in Chapter 364, Code of Iowa, as amended, delegated the power to cities to exercise any power and perform any function it deems appropriate to protect and preserve the rights, privileges and property of the City or of its residents, and to preserve and improve the peace, safety, health, welfare, comfort and convenience of its residents.

B. Findings of Fact

1. The flood hazard areas of the City of Oxford are subject to periodic inundation which can result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base all of which adversely affect the public health, safety and general welfare of the community.
2. These flood losses, hazards, and related adverse effects are caused by: (i) The occupancy of flood hazard areas by uses vulnerable to flood damages which create hazardous conditions as a result of being inadequately elevated or otherwise protected from flooding and (ii) the cumulative effect of obstructions on the floodplain causing increases in flood heights and velocities.
3. This ordinance relies upon engineering methodology for analyzing flood hazards which is consistent with the standards established by the Department of Natural Resources.

C. Statement of Purpose

It is the purpose of this Ordinance to protect and preserve the rights, privileges and property of the City of Oxford and its residents and to preserve and improve the peace, safety, health, welfare, and comfort and convenience of its residents by minimizing those flood losses described in [subsection 12-1-2\(A\)\(1\)](#) of this Ordinance with provisions designed to:

1. Reserve sufficient floodplain area for the conveyance of flood flows so that flood heights and velocities will not be increased substantially.
2. Restrict or prohibit uses which are dangerous to health, safety or property in times of flood or which cause excessive increases in flood heights or velocities.
3. Require that uses vulnerable to floods, including public facilities which serve such uses, be protected against flood damage at the time of initial construction or substantial improvement.
4. Protect individuals from buying lands which may not be suited for intended purposes because of flood hazard.
5. Assure that eligibility is maintained for property owners in the community to purchase flood insurance through the National Flood Insurance Program.

[12-1-3: General Provisions](#)

A. Lands to Which Ordinance Apply

The provisions of this Ordinance shall apply to all lands and development which have significant flood hazards. The Flood Insurance Rate Map (FIRM) for Johnson County and Incorporated Areas, City of [Oxford](#), Panels [19103C0131F](#), [19103C0133F](#), and [19103C0135F](#), dated [December 26, 2025](#), which were prepared as part of the [Johnson County](#) Flood Insurance Study, shall be used to identify such flood hazard areas and all areas shown thereon to be within the boundaries of the base flood shall be considered as having significant flood hazards. The Flood Insurance Study for the County of [Johnson County](#) is hereby adopted by reference and is made a part of this ordinance for the purpose of administering floodplain management regulations.

B. Rules for Interpretation of Flood Hazard Boundaries

The boundaries of the Special Flood Hazard areas shall be determined by scaling distances on the official Flood Insurance Rate Map. When an interpretation is needed as to the exact location of a boundary, the [Mayor](#) shall make the necessary interpretation. The [City Council](#) shall hear and decide appeals when it is alleged that there is an error in any requirement, decision, or determination made by the [Mayor](#) in the enforcement or administration of this Ordinance.

C. Compliance

No structure or land shall hereafter be used and no structure shall be located, extended, converted or structurally altered without full compliance with the terms of this Ordinance and other applicable regulations which apply to uses within the jurisdiction of this Ordinance.

D. Abrogation and Greater Restrictions

It is not intended by this Ordinance to repeal, abrogate or impair any existing easements, covenants, or deed restrictions. However, where this Ordinance imposes greater restrictions, the provision of this Ordinance shall prevail. All other ordinances inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency only.

E. Interpretation

In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements and shall be liberally construed in favor of the governing body and shall not be deemed a limitation or repeal of any other powers granted by State statutes.

F. Warning and Disclaimer of Liability

The standards required by this Ordinance are considered reasonable for regulatory purposes. This Ordinance does not imply that areas outside the designated areas of significant flood hazard will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the City of [Oxford](#) or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made there under.

G. Severability

If any section, clause, provision or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

12-1-4: Administration

A. Appointment, Duties and Responsibilities of Local Official

1. The [Mayor](#) is hereby appointed to implement and administer the provisions of this Ordinance and will herein be referred to as the Administrator.
2. Duties and responsibilities of the Administrator shall include, but not necessarily be limited to the following:
 - a. Review all floodplain development permit applications to assure that the provisions of this Ordinance will be satisfied.
 - b. Review floodplain development applications to assure that all necessary permits have been obtained from federal, state and local governmental agencies including approval when required from the Department of Natural Resources for floodplain construction.
 - c. Record and maintain a record of (i) the elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of all new or substantially improved structures or (ii) the elevation to which new or substantially improved structures have been floodproofed.
 - d. Notify adjacent communities/counties and the Department of Natural Resources prior to any proposed alteration or relocation of a watercourse and submit evidence of such notifications to the Federal Emergency Management Agency.
 - e. Keep a record of all permits, appeals and such other transactions and correspondence pertaining to the administration of this Ordinance.
 - f. Submit to the Federal Insurance Administrator an annual report concerning the community's participation, utilizing the annual report form supplied by the Federal Insurance Administrator.
 - g. Notify the Federal Insurance Administrator of any annexations or modifications to the community's boundaries.
 - h. Review subdivision proposals to ensure such proposals are consistent with the purpose of this ordinance and advise the [City Council](#) of potential conflict.
 - i. Maintain the accuracy of the community's Flood Insurance Rate Maps when;
 1. Development placed within the floodway results in any of the following:
 - a) An increase in the Base Flood Elevations, or
 - b) Alteration to the floodway boundary
 2. Development placed in Zones A, AE, AH, and A1-30 that does not include a designated floodway that will cause a rise of more than one foot in the base elevation; or
 3. Development relocates or alters the channel.

Within 6 months of the completion of the development, the applicant shall submit to FEMA all scientific and technical data necessary for a Letter of Map Revision.

- j. Perform site inspections to ensure compliance with the standards of this Ordinance.

- k. Forward all requests for Variances to the [City Council](#) for consideration. Ensure all requests include the information ordinarily submitted with applications as well as any additional information deemed necessary to the [City Council](#).

B. Floodplain Development Permit

1. Permit Required. A Floodplain Development Permit issued by the Administrator shall be secured prior to any floodplain development (any man-made change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, filling, grading, paving, storage of materials and equipment, excavation or drilling operations), including the placement of factory-built homes.
2. Application for Permit. Application shall be made on forms furnished by the Administrator and shall include the following:
 - a. Description of the work to be covered by the permit for which application is to be made.
 - b. Description of the land on which the proposed work is to be done (i.e., lot, block, tract, street address or similar description) that will readily identify and locate the work to be done.
 - c. Location and dimensions of all structures and additions
 - d. Indication of the use or occupancy for which the proposed work is intended.
 - e. Elevation of the base flood.
 - f. Elevation (in relation to North American Vertical Datum 1988) of the lowest floor (including basement) of structures or of the level to which a structure is to be floodproofed.
 - g. For structures being improved or rebuilt, the estimated cost of improvements and market value of the structure prior to the improvements.
 - h. Such other information as the Administrator deems reasonably necessary (e.g., drawings or a site plan) for the purpose of this Ordinance.
3. Action on Permit Application. The Administrator shall, within a reasonable time, make a determination as to whether the proposed floodplain development meets the applicable standards of this Ordinance and shall approve or disapprove the application. For disapprovals, the applicant shall be informed, in writing, of the specific reasons therefor. The Administrator shall not issue permits for variances except as directed by the [City Council](#).
4. Construction and Use to be as Provided in Application and Plans. Floodplain Development Permits based on the basis of approved plans and applications authorize only the use, arrangement, and construction set forth in such approved plans and applications and no other use, arrangement or construction. Any use, arrangement, or construction at variance with that authorized shall be deemed a violation of this Ordinance. The applicant shall be required to submit certification by a professional engineer or land surveyor, as appropriate, registered in the State of Iowa, that the finished fill, structure floor elevations, floodproofing, or other flood protection measures were accomplished in compliance with the provisions of this Ordinance, prior to the use or occupancy of any structure.

[12-1-5: Floodplain Management Standards](#)

A. General Floodplain Standards

All development must be consistent with the need to minimize flood damage and meet the following applicable performance standards. Where base flood elevations have not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to determine (i) whether the land involved is either wholly or partly within the floodway or floodway fringe and (ii) the base flood elevation. Until a regulatory floodway is designated, no development may increase the Base Flood Elevation more than one (1) foot. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

Review by the Iowa Department of Natural Resources is not required for the proposed construction of new or replacement bridges or culverts where (i) the bridge or culvert is located on a stream that drains less than two (2) square miles, and (ii) the bridge or culvert is not associated with a channel modification that constitutes a channel change as specified in 567-71.2(2), Iowa Administrative Code.

1. All development. All development within the special flood hazard areas shall:

- a. Be designed and adequately anchored to prevent flotation, collapse or lateral movement.
 - b. Use construction methods and practices that will minimize flood damage.
 - c. Use construction materials and utility equipment that are resistant to flood damage.
2. Residential structures. All new or substantially improved residential structures shall have the lowest floor, including basement, elevated a minimum of one (1) foot above the base flood elevation. Construction shall be upon compacted fill which shall, at all points, be no lower than 1.0 ft. above the base flood elevation and extend at such elevation at least 18 feet beyond the limits of any structure erected thereon. Alternate methods of elevating (such as piers or extended foundations) may be allowed (OPTIONAL LANGUAGE: subject to favorable consideration by the City Council,) where existing topography, street grades, or other factors preclude elevating by fill. In such cases, the methods used must be adequate to support the structure as well as withstand the various forces and hazards associated with flooding.

All new residential structures located in areas that would become isolated due to flooding of surrounding ground shall be provided with a means of access that will be passable by wheeled vehicles during the base flood. However, this criterion shall not apply where the Administrator determines there is sufficient flood warning time for the protection of life and property. When estimating flood warning time, consideration shall be given to the criteria listed in 567-75.2(3), Iowa Administrative Code.

3. Non-residential structures. All new or substantially improved non-residential structures shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the base flood elevation, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the base flood; and that the structure, below the base flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator.
4. All new and substantially improved structures
 - a. Fully enclosed areas below the "lowest floor" (not including basements) that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or meet or exceed the following minimum criteria:
 1. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. (ALTERNATIVE LANGUAGE: A minimum of two (2) openings, with positioning on at least two (2) walls, having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.) [Note: The NFIP's Lowest Floor Guide requires that openings be located on "at least two walls". While FEMA does not require the ordinance to contain this language, including it might help to ensure that the property owner will receive a lower flood insurance premium.]
 2. The bottom of all openings shall be no higher than one foot above grade.
 3. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided they permit the automatic entry and exit of floodwaters.

Such areas shall be used solely for parking of vehicles, building access and low damage potential storage. (OPTIONAL LANGUAGE: Where the distance between the floor and ceiling of the fully enclosed area below the "lowest floor" is (FIVE (5)) feet or more, the applicant shall be required to sign and record with the Johnson County Recorder a Non-Conversion Agreement that ensures the lower enclosed area remains compliant with the criteria outlined in subsection 12-1-5(A)(4)(a). [Note: Community may determine the height of the lower-enclosed area at which to require the applicant to sign a Non-Conversion Agreement.]

- b. New and substantially improved structures must be designed (or modified) and adequately anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

- c. New and substantially improved structures shall be constructed with electric meter, electrical service panel box, hot water heater, heating, air conditioning, ventilation equipment (including ductwork), and other similar machinery and equipment elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation.
 - d. New and substantially improved structures shall be constructed with plumbing, gas lines, water/gas meters and other similar service utilities either elevated (or in the case of non-residential structures, optionally floodproofed to) a minimum of one (1) foot above the base flood elevation or designed to be watertight and withstand inundation to such a level.
5. Factory-built homes
- a. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be elevated on a permanent foundation such that the lowest floor of the structure is a minimum of one (1) foot above the base flood elevation.
 - b. All new and substantially improved factory-built homes, including those placed in existing factory-built home parks or subdivisions, shall be anchored to resist flotation, collapse, or lateral movement. Anchorage systems may include, but are not limited to, use of over-the-top or frame ties to ground anchors as required by the State Building Code.
6. Utility and Sanitary Systems
- a. On-site waste disposal and water supply systems shall be located or designed to avoid impairment to the system or contamination from the system during flooding.
 - b. All new and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the system as well as the discharge of effluent into flood waters. Wastewater treatment facilities (other than on-site systems) shall be provided with a level of flood protection equal to or greater than one (1) foot above the base flood elevation.
 - c. New or replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system. Water supply treatment facilities (other than on-site systems) shall be provided with a level of protection equal to or greater than one (1) foot above the base flood elevation.
 - d. Utilities such as gas or electrical systems shall be located and constructed to minimize or eliminate flood damage to the system and the risk associated with such flood damaged or impaired systems.
7. Storage of materials and equipment. Storage of materials and equipment that are flammable, explosive or injurious to human, animal or plant life is prohibited unless elevated a minimum of one (1) foot above the base flood elevation. Other material and equipment must either be similarly elevated or (i) not be subject to major flood damage and be anchored to prevent movement due to flood waters or (ii) be readily removable from the area within the time available after flood warning.
8. Flood control structural works. Flood control structural works such as levees, flood walls, etc. shall provide, at a minimum, protection from the base flood with a minimum of 3 ft. of design freeboard and shall provide for adequate interior drainage. In addition, structural flood control works shall be approved by the Department of Natural Resources.
9. Watercourse alterations. Watercourse alterations or relocations must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
10. Subdivisions. Subdivisions (including factory-built home parks and subdivisions) shall be consistent with the need to minimize flood damages and shall have adequate drainage provided to reduce exposure to flood damage. Development associated with subdivision proposals (including the installation of public utilities) shall meet the applicable performance standards of this Ordinance. Subdivision proposals intended for residential use shall provide all lots with a means of access which will be passable by wheeled vehicles during the base flood. Proposals for subdivisions greater than five (5) acres or fifty (50) lots (whichever is less) shall include base flood elevation data for those areas located within the Special Flood Hazard Area.
11. Accessory Structures to Residential Uses
- a. Detached garages, sheds, and similar structures that are incidental to a residential use are exempt from the base flood elevation requirements where the following criteria are satisfied: **[NOTE: Community may choose**

to instead require any type of accessory structure to comply the elevation requirements as outlined in (SECTION V(1)(C).]

1. The structure shall be designed to have low flood damage potential. Its size shall not exceed 600 sq. ft. in size. Those portions of the structure located less than 1 foot above the base flood elevation must be constructed of flood-resistant materials.
 2. The structure shall be used solely for low flood damage potential purposes such as vehicle parking and limited storage. The structure shall not be used for human habitation.
 3. The structure shall be constructed and placed on the building site so as to offer minimum resistance to the flow of floodwaters.
 4. The structure shall be firmly anchored to prevent flotation, collapse, and lateral movement which may result in damage to other structures.
 5. The structure's service facilities such as electrical and heating equipment shall be elevated or floodproofed to at least one foot above the base flood elevation.
 6. The structure's walls shall include openings that satisfy the provisions of [subsection 12-1-5\(A\)\(4\)\(a\)](#) of this Ordinance.
- b. Exemption from the base flood elevation requirements for such a structure may result in increased premium rates for flood insurance coverage of the structure and its contents.

12. Recreational Vehicles

- a. Recreational vehicles are exempt from the requirements of [subsection 12-1-5\(A\)\(5\)](#) of this Ordinance regarding anchoring and elevation of factory-built homes when the following criteria are satisfied:
 1. The recreational vehicle shall be located on the site for less than 180 consecutive days, and,
 2. The recreational vehicle must be fully licensed and ready for highway use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system and is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.
- b. Recreational vehicles that are located on the site for more than 180 consecutive days or are not ready for highway use must satisfy requirements of [subsection 12-1-5\(A\)\(5\)](#) of this Ordinance regarding anchoring and elevation of factory-built homes.

13. Pipeline crossings. Pipelines crossing rivers and streams shall be buried in the streambed and banks, or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering.

14. Maximum Damage Potential Development. All new or substantially improved maximum damage potential development shall have the lowest floor (including basement) elevated a minimum of one (1) foot above the elevation of the 500-year flood, or together with attendant utility and sanitary systems, be floodproofed to such a level. When floodproofing is utilized, a professional engineer registered in the State of Iowa shall certify that the floodproofing methods used are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the 0.2% annual chance flood; and that the structure, below the 0.2% annual chance flood elevation is watertight with walls substantially impermeable to the passage of water. A record of the certification indicating the specific elevation (in relation to North American Vertical Datum 1988) to which any structures are floodproofed shall be maintained by the Administrator. Where 0.2% chance flood elevation data has not been provided in the Flood Insurance Study, the Iowa Department of Natural Resources shall be contacted to compute such data. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determinations.

B. Special Floodway Provisions

In addition to the General Floodplain Standards, development within the floodway must meet the following applicable standards. The floodway is that portion of the floodplain which must be protected from developmental encroachment to allow the free flow of flood waters. Where floodway data has been provided in the Flood Insurance Study, such data shall be used to define the floodway. Where no floodway data has been provided, the Department of Natural Resources shall be contacted to provide a floodway delineation. The applicant will be responsible for providing the Department of Natural Resources with sufficient technical information to make such determination.

1. No development shall be permitted in the floodway that would result in any increase in the base flood elevation. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
2. All development within the floodway shall:
 - a. Be consistent with the need to minimize flood damage.
 - b. Use construction methods and practices that will minimize flood damage.
 - c. Use construction materials and utility equipment that are resistant to flood damage.
3. No development shall affect the capacity or conveyance of the channel or floodway of any tributary to the main stream, drainage ditch or any other drainage facility or system.
4. Structures, buildings, recreational vehicles, and sanitary and utility systems, if permitted, shall meet the applicable General Floodplain standards and shall be constructed or aligned to present the minimum possible resistance to flood flows.
5. Structures, if permitted, shall have a low flood damage potential and shall not be for human habitation.
6. Storage of materials or equipment that are buoyant, flammable, explosive or injurious to human, animal or plant life is prohibited. Storage of other material may be allowed if readily removable from the floodway within the time available after flood warning.
7. Watercourse alterations or relocations (channel changes and modifications) must be designed to maintain the flood carrying capacity within the altered or relocated portion. In addition, such alterations or relocations must be approved by the Department of Natural Resources.
8. Any fill allowed in the floodway must be shown to have some beneficial purpose and shall be limited to the minimum amount necessary.
9. Pipeline river or stream crossings shall be buried in the streambed and banks or otherwise sufficiently protected to prevent rupture due to channel degradation and meandering or due to the action of flood flows.

12-1-6: Variance Procedures

- A. The City Council may authorize upon request in specific cases such variances from the terms of this Ordinance that will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship. Variances granted must meet the following applicable standards.
 1. Variances shall only be granted upon: (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of the variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local codes or ordinances.
 2. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood would result. Consideration of the effects of any development on flood levels shall be based upon the assumption that an equal degree of development would be allowed for similarly situated lands.
 3. Variances shall only be granted upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 4. In cases where the variance involves a lower level of flood protection for structures than what is ordinarily required by this Ordinance, the applicant shall be notified in writing over the signature of the Administrator that: (i) the issuance of a variance will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) such construction increases risks to life and property.
 5. All variances granted shall have the concurrence or approval of the Department of Natural Resources.
- B. Factors Upon Which the Decision of the City Council Shall be Based. In passing upon applications for Variances, the Council shall consider all relevant factors specified in other sections of this Ordinance and:
 1. The danger to life and property due to increased flood heights or velocities caused by encroachments.
 2. The danger that materials may be swept on to other land or downstream to the injury of others.
 3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.

4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 5. The importance of the services provided by the proposed facility to the City.
 6. The requirements of the facility for a floodplain location.
 7. The availability of alternative locations not subject to flooding for the proposed use.
 8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
 9. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
 10. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 11. The expected heights, velocity, duration, rate of rise and sediment transport of the flood water expected at the site.
 12. The cost of providing governmental services during and after flood conditions, including maintenance and repair of public utilities (sewer, gas, electrical and water systems), facilities, streets and bridges.
 13. Such other factors which are relevant to the purpose of this Ordinance.
- C. Conditions Attached to Variances. Upon consideration of the factors listed above, the [City Council](#) may attach such conditions to the granting of variances as it deems necessary to further the purpose of this Ordinance. Such conditions may include, but not necessarily be limited to:
1. Modification of waste disposal and water supply facilities.
 2. Limitation of periods of use and operation.
 3. Imposition of operational controls, sureties, and deed restrictions.
 4. Requirements for construction of channel modifications, dikes, levees, and other protective measures, provided such are approved by the Department of Natural Resources and are deemed the only practical alternative to achieving the purpose of this Ordinance.
 5. Floodproofing measures shall be designed consistent with the flood protection elevation for the particular area, flood velocities, duration, rate of rise, hydrostatic and hydrodynamic forces, and other factors associated with the regulatory flood. The Council shall require that the applicant submit a plan or document certified by a registered professional engineer that the floodproofing measures are consistent with the regulatory flood protection elevation and associated flood factors for the particular area.

[12-1-7: Nonconforming Uses](#)

- A. A structure or the use of a structure or premises which was lawful before the passage or amendment of this Ordinance, but which is not in conformity with the provisions of this Ordinance, may be continued subject to the following conditions:
1. If such use is discontinued for six (6) consecutive months, any future use of the building premises shall conform to this Ordinance.
 2. Uses or adjuncts thereof that are or become nuisances shall not be entitled to continue as nonconforming uses.
 3. If any nonconforming use or structure is destroyed by any means, including flood, it shall not be reconstructed if the cost equals or exceeds fifty (50) percent of the market value of the structure before the damage occurred, unless it is reconstructed in conformity with the provisions of this Ordinance. This limitation does not include the cost of any alteration to comply with existing state or local health, sanitary, building or safety codes or regulations or the cost of any alteration of a structure listed on the National Register of Historic Places, provided that the alteration shall not preclude its continued designation.
- B. Except as provided in [subsection 12-1-7\(A\)\(2\)](#), any use which has been permitted as a Variance shall be considered a conforming use.

[12-1-8: Penalties for Violation](#)

Violations of the provisions of this Ordinance or failure to comply with any of the requirements shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$[\(500.00 \(FIVE HUNDRED DOLLARS\)\)](#) or imprisoned for not more than [\(30](#)

(THIRTY) days. Nothing herein contained prevent the City of Oxford from taking such other lawful action as is necessary to prevent or remedy violation.

12-1-9: Amendments

The regulations and standards set forth in this Ordinance may from time to time be amended, supplemented, changed, or repealed. No amendment, supplement, change, or modification shall be undertaken without prior approval of the Department of Natural Resources.

ADOPTED AND PASSED by the City Council of the City of _____ this
_____ day of _____, 20 _____.

Seal of City

Attest:

Mayor

City Clerk

Adopted Date: _____

Publication Date: _____

Effective Date: _____

Note: All Ordinances must be properly certified.