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NFIP Compliance Quarterly Report June 2009

This is the second quarterly report on the City of Shady Cove's progress in implementing its Compliance Action Plan. The plan was created to correct violations within the Special Flood Hazard Area (SFHA) and correct deficiencies in Shady Cove's floodplain management program. This report is a condition of probationary status being lifted in November 2008.

Compliance Plan Elements

The City has been following its adopted Compliance Plan aimed at developing short- and long-term strategies to achieve full compliance with the NFIP and Shady Cove's Flood Control Ordinance. The plan is summarized in five areas:

- Documentation
- Identification of Violations
- Enforcement
- Coordination with Jackson County
- Education

It has been just three months since the last report, yet Shady Cove continues to advance in each of these areas toward a solid, sustainable floodplain management program.

Documentation

At the time of the last report, staff had begun researching construction dates for all structures in the SFHA. This work continues, along with the log of Elevation Certificates on file. As property is improved and new permits are issued, the City requires updated/corrected EC's for the file. Eventually, all structures in the SFHA will have current EC's on file.

Identification of Violations

The City continues the voluntary inspection program, whereby property owners can have the floodplain manager identify violations of the local ordinance and prescribe a remedy. Technical information is provided and progress is tracked until the structure is compliant. Homeowners that request the inspection are not subject to fines or legal action if violations are discovered, and when the house is found to be compliant, a Certificate of Compliance is issued. This "golden ticket" is a great enticement for owners who want the peace of mind

"The City of Shady Cove is an equal opportunity provider."

that their house is reasonably safe from flooding and free of violations. It has also become a popular part of any real estate transaction. Agents call regularly before closing escrow, as buyers want to be assured they are not purchasing a problem property.

In recent months, the new permitting procedures and flagged permits with Jackson County, have uncovered more violations and the City has been able to require correction before issuing final approval. The new system is the City's most efficient method of discovering violations and compelling immediate corrections so that the final approval can be issued.

Enforcement

As illustrated in the attached summary of enforcement action on the 26 CAV properties, most of the owners have completed or are nearly finished with the necessary work to bring the structures into compliance. Three cases have been forwarded to the City Attorney for possible legal action.

The case mentioned in the March report of the homeowner that was compelled by notice of legal action to come into full compliance has been resolved. All improvements below BFE have been removed and flood vents installed in all lower enclosures. All expenses incurred for the repairs (as in all cases in Shady Cove) were paid by the homeowner.

Monthly progress reports for the remaining properties considered to be "in progress" are on file and are monitored closely.

Coordination with Jackson County

On May 13th, Jackson County hosted a class for building inspectors taught by Oregon's NFIP Coordinator. The material covered Oregon Building Codes related to floodplain development. Many of the minimum NFIP standards have been incorporated into the OBC for many years. This class highlighted the related code in the context of floodplain development and has already yielded results for Shady Cove. Building inspectors are asking more questions and requiring better documentation for floodplain development in Shady Cove and some existing violations have been discovered and corrected as a result of this training.

As noted earlier, the new permitting procedures are an extremely effective and valuable enforcement tool and prevent new violations from occurring.

Education

Shady Cove has begun plans for the second annual open house in September 2009 to raise awareness about issues related to flooding and floodplain development. Contractors, insurance agents, real estate agents and community officials will be available to answer questions and provide technical information in a casual setting.

Many of the recent inquiries for information and technical assistance in Shady Cove have been from real estate agents inquiring about the status of a home on the market. This is a great opportunity to educate professionals who routinely visit homes in the SFHA and who

can prompt corrections before the sale or transfer of the property. Working with these professionals can only serve to benefit the entire community.

The floodplain manager routinely attends council study sessions to update the council and public on floodplain issues and answers questions from the mayor, council, and the public in a formal setting. Local community members can always contact City Hall with general questions about flood safety, ordinance compliance, floodplain development regulations, or to offer suggestions for program improvements. Staff recognizes the value and importance of community involvement in its floodplain management program.

Summary

Shady Cove continues to develop its floodplain management program, encourage community participation and work to educate staff and the public about the important issues surrounding floodplain development. We invite input from FEMA Region X if improvements are needed or if you have recommendations for enhancements to the program.