AMENDMENTS TO THE FEMA
BUILDING REGULATIONS
Adopted May 24, 2005
And Amended August 11, 2026

ARTICLE 5, SECTION B, NO. 11

FILL MATERIAL

a. No permit is required if the fill material to be placed is no more than 250 cubic yards of dirt per acre of land and the land is not within the floodplain. **Each acre may not contain more than 250 cubic yards.** Property owner is required to **equally disburse and spread the fill material** to insure no more than 250 cubic yards of fill being placed on each acre.

b. If **more than 250 cubic yards of fill material is to be placed per acre of land, a permit must be obtained from the Floodplain Administrator and the property owner will be required to provide a hydraulic analysis (drainage plan) certified by a registered professional engineer and approved by the appropriate drainage district.**

c. The property owner must be able to provide to the County information relating to the location from which the dirt came, if it was from a governmental project, and who hauled/delivered the fill material.

d. Fill material must be placed **no closer than ten (10) feet from the edge of the property** line.

e. If the fill is placed on a piece of property in which the natural flow of water is conveyed on the proposed fill site, then the property owner is required to mitigate for the altered flow. Natural flow could be by sheet flow, swale, ditch, slough or other natural or man- made means of conveyance of water. Mitigation could include ditches, swales, detention/retention ponds and any other means of conveyance/detention/retention.

f. **All fill material must be spread evenly and as per permit representations within 6 months** of the permit issuance date. If the fill material is not spread within this time period, the property owner may be requested to remove the material.

g. Any reduction in floodplain storage or conveyance · capacity must be offset with hydraulically equivalent (one-to-one) volume of mitigation sufficient to offset the reduction. The reduction may result from development or the placement of fill within the 1% floodplain or 100-year floodplain. Such mitigation shall be within the same watershed and shall be provided on the same property or within the same hydrologic sub-watershed. Mitigation at an alternate site requires approval of the County Engineer. A full hydrological and hydraulic analysis must be submitted to support a request for mitigation outside the boundaries of the property being developed.

ARTICLE 2 DEFINITIONS

TOPOGRAPHY - means the description of the three-dimensional shape of the land surface based upon elevation contours. For purposes of determining if a development permit is required, an alteration of topography is considered to occur if fill placement is applied greater than 250 cubic yards or grading changes result in the modification to existing drainage and/or the increase in any elevation by six (6) inches or more. Determinations and clarifications to be provided by the County Floodplain Administrator.