

**§ 143-215.52. Definitions.**

- (a) As used in this Part:
- (1) "Artificial obstruction" means any obstruction to the flow of water in a stream that is not a natural obstruction, including any that, while not a significant obstruction in itself, is capable of accumulating debris and thereby reducing the flood-carrying capacity of the stream.
  - (1a) "Base flood" or "100-year flood" means a flood that has a one percent (1%) chance of being equaled or exceeded in any given year. The term "base flood" is used in the National Flood Insurance Program to indicate the minimum level of flooding to be addressed by a community in its floodplain management regulations.
  - (1b) "Base floodplain" or "100-year floodplain" means that area subject to a one percent (1%) or greater chance of flooding in any given year, as shown on the current floodplain maps prepared pursuant to the National Flood Insurance Program or approved by the Department.
  - (1c) "Department" means the Department of Public Safety.
  - (1d) "Flood hazard area" means the area designated by a local government, pursuant to this Part, as an area where development must be regulated to prevent damage from flooding. The flood hazard area must include and may exceed the base floodplain.
  - (2) Repealed by Session Laws 2000, c. 150, s. 1, effective August 2, 2000.
  - (3) "Local government" means any county or city, as defined in G.S. 160A-1.
  - (3a) "Lowest floor", when used in reference to a structure, means the lowest enclosed area, including a basement, of the structure. An unfinished or flood resistant enclosed area, other than a basement, that is usable solely for parking vehicles, building access, or storage is not a lowest floor.
  - (4) "Natural obstruction" includes any rock, tree, gravel, or other natural matter that is an obstruction and has been located within the 100-year floodplain by a nonhuman cause.
  - (4b) "Secretary" means the Secretary of Public Safety.
  - (5) "Stream" means a watercourse that collects surface runoff from an area of one square mile or greater.
  - (6) "Structure" means a walled or roofed building, including a mobile home and a gas or liquid storage tank.
- (b) As used in this Part, the terms "artificial obstruction" and "structure" do not include any of the following:
- (1) An electric generation, distribution, or transmission facility.
  - (2) A gas pipeline or gas transmission or distribution facility, including a compressor station or related facility.
  - (3) A water treatment or distribution facility, including a pump station.
  - (4) A wastewater collection or treatment facility, including a lift station.
  - (5) Processing equipment used in connection with a mining operation. (1971, c. 1167, s. 3; 2000-150, s. 1; 2011-145, s. 19.1(g).)