

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TOWNSHIP'S 1984 FLOODPLAIN MANAGEMENT ORDINANCE TO COMPLY WITH 1986 REVISIONS TO THE NATIONAL FLOOD INSURANCE PROGRAM; SETTING FORTH BUILDING PERMIT APPLICATION PROCEDURES AND REQUIREMENTS; IDENTIFYING FLOODPLAIN AREAS AND ELEVATIONS; ESTABLISHING TECHNICAL REQUIREMENTS FOR CONSTRUCTION WITHIN FLOODPLAIN AREAS; PROVIDING SPECIAL REQUIREMENTS FOR MANUFACTURED HOMES WITHIN FLOODPLAIN AREAS; AND SUPPLEMENTING DEFINITIONS USED IN SAID ORDINANCE.

BE IT ENACTED AND ORDAINED by Dimock Township, Susquehanna County, Pennsylvania and it is hereby enacted and ordained by the authority of the same as follows:

The Township of Dimock's 1984 Floodplain Management Ordinance is hereby amended as follows:

ARTICLE II ADMINISTRATIVE PROVISIONS

Section 2.01 B is hereby repealed and replaced with the following:

- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for Building Permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Permit Officer to determine that:
- (a) all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - (b) all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - (c) adequate drainage is provided so as to reduce exposure to flood hazards.

Applicants shall file the following minimum information plus any other pertinent information as may be required by the Building Permit Officer to make the above determination:

1. A completed Building Permit Application Form.
2. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one-hundred (100) feet or less, showing the following:
 - a. north arrow, scale, and date;
 - b. topographic contour lines, if available;
 - c. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - d. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and land development;
 - e. the location of all existing streets, drives, and other accessways; and
3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - a. the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - b. the elevation of the one-hundred (100) year flood;
 - c. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one-hundred (100) year flood; and
 - d. detailed information concerning any proposed flood-proofing measures.
4. The following data and documentation:
 - a. a document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the one-hundred (100) year flood elevations, pressures, velocities, impact and uplift forces associated with the one-hundred (100) year flood.

Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.

- b. detailed information needed to determine compliance with Section 5.00, Development Which May Endanger Human Life, including:
 - i) the amount, location and purpose of any dangerous materials or substances which are intended to be used, produced, stored or otherwise maintained on site.
 - ii) a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 5.00 during a one hundred (100) year flood.
- c. the appropriate component of the Department of Environmental Resources' "Planning Module for Land Development".
- d. where any excavation or grading is proposed a plan meeting the requirements of the Department of Environmental Resources, to implement and maintain erosion and sedimentation control.

ARTICLE III IDENTIFICATION OF FLOODPLAIN AREAS

Section 3.00 is hereby repealed and replaced with the following:

The identified floodplain area shall be any area of the Municipality, subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) on the Flood Insurance Rate Map (FIRM) dated April 1, 1986, (or the most recent revision thereof) as issued by the Federal Emergency Management Agency (FEMA).

Section 3.01 is hereby repealed and replaced with the following:

For the purposes of this Ordinance, the one hundred (100) year flood elevation shall be used as the basis for regulation. When available, information from other Federal, State, and other acceptable sources shall be used to

determine the one hundred (100) year elevation, as well as a floodway area, if possible. When no other information is available, the one hundred (100) year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

In lieu of the above, the municipality may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted to sufficient detail to allow a thorough technical review by the municipality.

ARTICLE IV GENERAL TECHNICAL REQUIREMENTS

Section 4.00 is hereby repealed and replaced with the following:

- A. In the identified floodplain area, the development and/or use of any land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in force in the municipality.
- B. Within any identified floodplain area, no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse, unless a permit is obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management.
- C. Within any identified floodplain area, the elevation of the lowest floor (including basement) of any new or substantially improved residential structure shall be one and one half (1 1/2) feet or more above the one hundred (100) year flood elevation.
- D. Within any identified floodplain area, the elevation of the lowest floor (including basement) of any new or substantially improved non-residential structure shall be one and one half (1 1/2) feet or more above the one hundred (100) year flood elevation or be flood-proofed up to that height.

Any non-residential structure, or part thereof, having a lowest floor (including basement) which is not elevated

to at least one and one half (1 1/2) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.

- E. Within any floodway area, no new construction or development shall be permitted that would cause any increase in the one hundred (100) year flood elevation.
- F. Enclosed areas below the lowest floor (including basement) are prohibited.

Section 4.02 is hereby repealed and replaced with the following:

Where permitted within any identified floodplain area, all manufactured homes and additional thereto shall be:

1. placed on a permanent foundation.
2. elevated so that the lowest floor of the manufactured home is one and one half (1 1/2) feet or more above the elevation of the hundred year flood.
3. anchored to resist flotation, collapse, or lateral movement.
4. Within any identified floodway area, all manufactured homes and any addition thereto shall be prohibited.

ARTICLE VI EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

Section 6.00 is amended by adding to the end thereof the following:

No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one hundred (100) year flood.

ARTICLE VII VARIANCES

Section 7.01 is amended by adding to the end thereof the following:

No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.

ARTICLE VII DEFINITIONS

The whole of Article VIII is hereby repealed and replaced with the following:

Section 8.00 General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its most reasonable application.

Section 8.01 Specific Definitions

- A. Accessory use or structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- B. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be manufactured homes and trailers to be used for human habitation.
- C. Construction - the construction, reconstruction, renovation, repair extension, expansion, alteration, or relocation of a building or structure, including the placement of manufactured homes.
- D. Developement - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of manufactured homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.
- E. Flood - a temporary inundation of normally dry land areas.
- F. Floodplain area - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- G. Flood-proofing - means any combination of structural and non-structural additions, changes, or adjust-

ments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

- H. Minor repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- I. Manufactured home - a transportable, single-family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term does include park trailers, travel trailers or other similar vehicles which are placed on a site for more than 180 consecutive days.
- J. Manufactured home park - a parcel of land under single ownership which has been planned and improved for the placement of two or more manufactured homes for nontransient use.
- K. One hundred year flood - a flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has one (1) percent chance of occurring each year, although the flood may occur in any year).
- L. Regulatory flood elevation - the one hundred (100) year flood elevation plus a freeboard safety factor of one and one half (1 1/2) feet.
- M. Special permit - special approval which is required for hospitals, nursing homes, jails, and new manufactured home park or subdivision and substantial improvements to such existing manufactured home park or subdivision when such development is located partly or entirely within a designated flood plain.

- N. Structure - anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured home or other similar items.
- O. Subdivision - the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease transfer of ownership or building or lot development: provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings shall be exempted.
- P. Substantial Improvement - any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.
- Q. Basement - any area of the building having its floor subgrade (below ground level) on all sides.
- R. Floodway - the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.
- S. For the purposes of floodplain management, the words "mobile home" or mobile home park" shall be replaced with the words "manufactured home" and "manufactured home park" within any delineated floodplain area.

These amendments shall become effective on the fifth day after their enactment.

Adopted by the Supervisors of Dimock Township this _____ day of _____, 1990.

Signed: _____
Chairman

ATTEST:

Supervisor

Secretary

Supervisor

Law Library
Rec. 10/25/90
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ORDINANCE NO. _____

AN ORDINANCE AMENDING THE TOWNSHIP'S 1984 FLOODPLAIN MANAGEMENT ORDINANCE TO COMPLY WITH 1986 REVISIONS TO THE NATIONAL FLOOD INSURANCE PROGRAM; IDENTIFYING FLOODPLAIN AREAS AND ELEVATIONS; AMENDING BUILDING PERMIT FEES; AND SUPPLEMENTING DEFINITIONS USED IN SAID ORDINANCE.

BE IT ENACTED AND ORDAINED by Springville Township, Susquehanna County, Pennsylvania and it is hereby enacted and ordained by the authority of the same as follows:

The Township of Springville's 1984 Floodplain Management Ordinance is hereby amended as follows:

ARTICLE II FEES

Section 2.07 is hereby repealed and replaced with the following:

Applications for a building permit shall be accompanied by a fee of \$5.00, payable to the Township Building Official.

ARTICLE III IDENTIFICATION OF FLOODPLAIN AREAS

Section 3.00 A is hereby repealed and replaced with the following:

- A. The identified floodplain area shall be any area of the Township of Springville subject to the one hundred (100) year flood, which is identified as Zone A (Area of Special Flood Hazard) on the Flood Insurance Rate Map (FIRM) dated April 1, 1986 (or the most recent revision thereof) as issued by the Federal Emergency Management Agency (FEMA).

ARTICLE IV VARIANCES

Section 4.01 introductory paragraph is amended as follows:

Requests for variances shall be considered by the Supervisors in accordance with the procedures contained in Section 2.09 and the following:

Section 4.01 is further amended by adding to the end thereof the following:

- G. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.

ARTICLE V DEFINITIONS

The whole of Article V is hereby repealed and replaced with the following:

Section 5.00 General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give this Ordinance its most reasonable application.

Section 5.01 Specific Definitions

- A. Construction - the construction, reconstruction, renovation, repair extension, expansion, alteration, or relocation of a building or structure, including the placement of manufactured homes.
- B. Developement - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of manufactured homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.
- C. Floodway - the channel of a stream plus any adjacent flood plain areas that must be kept free of encroachment in order that the 100 year flood can be carried without substantial increases in flood heights.
- D. Manufactured home - a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term includes manufactured homes, park trailers, travel trailers, recreational, and other similar vehicles placed on a site for more than 180 consecutive days.
- E. Manufactured home park - a parcel (or contiguous parcels) of land which has been planned and improved for the placement of two or more manufactured homes.

- F. Structure - anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured home or other similar items.
- G. Substantial Improvement - any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.
- H. For the purposes of floodplain management, the words "mobile home" or mobile home park" shall be replaced with the words "manufactured home" and "manufactured home park" within any delineated floodplain area.

These amendments shall become effective on the fifth day after their enactment.

Adopted by the Supervisors of Springville Township this _____ day of _____, 1990.

Signed: _____
Chairman

ATTEST:

Supervisor

Secretary

Supervisor