

ORDINANCE NO. 18

AN ORDINANCE OF THE TOWNSHIP OF MONTGOMERY, COUNTY OF INDIANA, AND COMMONWEALTH OF PENNSYLVANIA, AMENDING ORDINANCE NO. 12, AS AMENDED, THE FLOODPLAIN ORDINANCE.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Montgomery, Indiana County, Pennsylvania, and it is hereby enacted and ordained as follows:

ARTICLE III - IDENTIFICATION OF FLOODPLAIN AREAS

Section 3.00 - Identification is hereby repealed and replaced with the following: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 August 1, 1986, (or the most recent revision thereof) as issued by the Federal Emergency Management Agency (FEMA).

Section 3.01 - Determination of One Hundred Year Flood Elevation is hereby repealed and replaced with the following: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 - General shall be amended as follows:

The second paragraph of Requirement D shall be repealed and replaced with the following:

Any non-residential structure, or part thereof, having a lowest floor (including basement) which is not elevated to at least one and one-half ($1\frac{1}{2}$) feet above the one hundred (100) year flood elevation, shall be flood-proofed 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 flood-proofing 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.

The following requirements shall be added:

- 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 4.03 - Special Requirements for Mobile Homes shall be deleted and in lieu thereof, the following inserted:

Section 4.03 - Special Requirements for Manufactured Homes

Where permitted within any identified floodplain area, all manufactured homes and additions 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 ($1\frac{1}{2}$) 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 - General is amended by adding to the end thereof the following:

- B. 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 - Variance Procedures and Conditions is amended by adding to the end thereof the following:

7. 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 VIII - DEFINITIONS

Section 8.01 - Specific Definitions shall be amended as follows:

The following definitions shall be added:

- R. Basement - any area of the building having its floor subgrade (below ground level) on all sides.
- S. 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.

The following definitions shall be amended by deleting the same and inserting in lieu thereof, the following:

- 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.

- N. Special Permit - special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks or subdivisions and substantial improvements to such existing manufactured home parks or subdivisions, when such development is located partly or entirely within a designated floodplain.

All references to "mobile home" or "mobile home park," in Ordinance No. 12, as amended, shall be changed to "manufactured home" or "manufactured home park."

In all other respects, Ordinance No. 12, as amended, shall remain in full force and effect.

ORDAINED AND ENACTED this *6th* day of *May*, 1992, by the Township of Montgomery, Indiana County, Pennsylvania.

MONTGOMERY TOWNSHIP

ATTEST:

Virginia Dudek
Secretary

William M. Burke
Supervisor

Joseph A. Burke
Supervisor

Supervisor

WAK/srg
SRG17/202 (revised 4/14/92)