

ORDINANCE No. 1 -87

AN ORDINANCE AMENDING PORTIONS OF TOWNSHIP ORDINANCE 1-86, ALSO KNOWN AS THE KISKIMINETAS TOWNSHIP FLOOD PLAIN ORDINANCE.

WHEREAS, the Pennsylvania Department of Community Affairs has notified the Board of Supervisors that minor changes in Ordinance No. 1-86 are required in order to fully comply with state regulations; and,

WHEREAS, the Federal Emergency Management Agency (FEMA) enacted several changes in late 1986 which must be adopted by the Township; and,

WHEREAS, it is the intention of the Board of Supervisors of Kiskiminetas Township, Armstrong County, Pennsylvania, to comply in every respect with federal and state mandates concerning its floodplain ordinance.

NOW THEREFORE, be it enacted and ordained by the Township of Kiskiminetas, Armstrong County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

1. The following amendments and deletions shall apply to Kiskiminetas Township Ordinance No. 1-86 (Flood Plain Ordinance), and the same numbering sequence shall be followed as is set forth in Ordinance No. 1-86.

I. §3.00 is amended as follows:

The flood hazard boundary map is dated 21 May 1986.

II. §3.01 shall be 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 flood plain area which is nearest the construction site in question.

In lieu of the above, the municipality may require the applicant to determine the evaluation 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 in sufficient detail to allow a thorough technical review by the Township.

III. §4.00 is amended to add the subsection set forth below and the remaining subsections shall be re-lettered accordingly:

4.00 B. 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.

IV. The second paragraph in §4.00 C is replaced with the following:

Any non-residential structure, or part thereof, having a lowest floor 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.

V. Section 4.02 is replaced with the following:

Section 4.02 Special Requirements for Manufactured Homes

Note: Subsection 4.02 A, below, is optional, but it can be used only if the decision is made not to use subsection 4.00 C., which generally prohibits all development within fifty (50) feet landward from the top-of-bank of any watercourse. See the note for subsection 4.02 B. on the preceding page for further details.

- A. Within any identified floodplain area, all manufactured homes and any additions thereto shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- B. Where permitted within any identified flood plain area, all manufactured homes and additions thereto shall be:
 - i. Placed on a permanent foundation,
 - ii. 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 one hundred year flood,
 - iii. Anchored to resist flotation, collapse, or lateral movement.

VI. The following subsection is added to Article VII as Item No. 7:

- 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.

VII. Paragraph 6.01 D. subsections 1, 2, and 3 are renumbered sub-

sections 2, 6, and 7 respectively and the following subsections are added:

- A. Certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
- B. A statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur from the development during the course of a one hundred (100) year flood, including a statement concerning the effects such pollution may have on human life;

- C. A statement certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the effects the proposed development will have on one hundred (100) year flood elevations and flows;
- D. A statement, certified by a registered professional engineer, architect, or landscape architect, which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one hundred (100) year flood elevation and the effects such materials and debris may have on one hundred (100) year flood elevations and flows;
- E. Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Resources under Section 302 of Act 1978-166; and,
- F. An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a one hundred (100) year flood.

VIII: Section 6.02, subsections B and C are deleted and the following

subsections are added in their place:

- A. If an application is received that is complete, the Township shall notify the applicant in writing, stating in what respect the application is deficient.
- B. If the Township decides to disapprove an application, it shall notify the applicant in writing, of the reasons for the disapproval.
- C. If the Township approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community Affairs, by registered or certified mail, within five (5) working days after the date of approval.
- D. Before issuing the special permit, the Township shall allow the Department of Community Affairs thirty (30) days, after receipt of the notification by the Department, to review the application and decision made by the Township.
- E. If the Township does not receive any communication from the Department of Community Affairs during the thirty (30) day review period, it may issue a special permit to the applicant.
- F. If the Department of Community Affairs should decide to disapprove an application, it shall notify the Township and the applicant, in writing, of the reasons for the disapproval, and the Township shall not issue the special permit.

IX. In Section 8.01 the definition of "mobilehome" is replaced with the following definition of "manufactured home":

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 park trailers, travel trailers, recreational, and other similar vehicles placed on a site for more than 180 consecutive days.

X. In Section 8.01 the definition of "mobilehome park" is replaced with the following definition of "manufactured home park":

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.

XI. The term "mobilehome" is replaced with the term "manufactured home" throughout the provisions.

XII. The term "mobilehome park" and "mobilehome subdivision" are replaced with the terms "manufactured home park" and "manufactured home subdivision" respectively, throughout the provisions.

XIII. All Township ordinances and provisions of Township ordinances that are inconsistent herewith are hereby repealed.

DONE, ORDAINED AND ENACTED BY THE BOARD OF SUPERVISORS OF KISKIMINETAS TOWNSHIP, LAWFULLY ASSEMBLED AT A PUBLIC MEETING, THIS ____ DAY OF _____, 1987.

ATTEST:

Barbara Talmadge
BARBARA TALMADGE

Ronald E. Hild

William W. Jackson

William H. Miller

Emerson D. Townsend

Jack Wilnot