

Chapter 8. FLOODPLAINS

ARTICLE I. STATUTORY AUTHORIZATION

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Town Council of the Town of Bloomsburg does hereby order as follows.

PART 1. GENERAL PROVISIONS

§ 8-101. Intent.

[Ord. 913, 8/11/2008, § 1.00]

The intent of this Chapter is to:

1. Promote the general health, welfare, and safety of the community.
2. Encourage the utilization of appropriate construction practices in order to prevent or minimize flood damage in the future.
3. Minimize danger to public health by protecting water supply and natural drainage.
4. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive DEVELOPMENT in areas subject to flooding.
5. Comply with federal and state floodplain management requirements.
6. To provide protection which exceeds the minimum requirements of 44 C.F.R. and to apply regulations that will be consistent with 1. through 5. above and in consideration of previous flooding events which occurred in the Town of Bloomsburg.
7. The standards represented by these regulations should be viewed as **minimum standards** to preserve the intent of §8-101. Persons are encouraged to consult with design professionals and insurance specialists regarding the benefits of exceeding the regulations herein.

§ 8-102. Applicability.

[Ord. 913, 8/11/2008, § 1.01]

It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or DEVELOPMENT anywhere within the BLOOMSBURG IDENTIFIED FLOODPLAIN AREA prior to obtaining a Floodplain Development Permit from the Town of Bloomsburg.

§ 8-103. Abrogation and Greater Restrictions.

[Ord. 913, 8/11/2008, § 1.02]

This Chapter supersedes any other conflicting provisions which may be in effect in BLOOMSBURG IDENTIFIED FLOODPLAIN AREAS. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Chapter, the more restrictive shall apply.

§ 8-104. Severability.

[Ord. 913, 8/11/2008, § 1.03]

If any section, subsection, paragraph, sentence, clause, or phrase of this Chapter shall be declared invalid for any reason whatsoever, such a decision shall not affect the remaining portions of the Ordinance, which shall remain in full force and effect, and for this purpose the provisions of this Chapter are hereby declared to be severable.

§ 8-105. Warning and Disclaimer of Liability.

[Ord. 913, 8/11/2008, § 1.04]

1. The degree of FLOOD protection sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur; FLOOD heights may be increased by man-made or natural causes, such as ice jams, and bridge openings may be restricted by debris. This Chapter does not imply that areas outside of the BLOOMSBURG IDENTIFIED FLOODPLAIN AREA, or that land uses permitted within such areas, will be free from flooding or FLOOD damages.
2. This Chapter shall not create liability on the part of the Town of Bloomsburg or any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

§ 8-106. Repealer.

[Ord. 913, 8/11/2008, § 1.05]

This ordinance supersedes any ordinance in effect for the management of development in flood hazard areas. However, it is not intended to repeal or abrogate any existing ordinances including but not limited to land development regulations, zoning ordinances, stormwater management regulations, or the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 as required.

§ 8-107. General.

[Ord. 913, 8/11/2008, § 8.00]

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

§ 8-108. Specific Definitions.

[Ord. 913, 8/11/2008, § 8.01]

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.

ASCE

American Society of Civil Engineers.

BASE FLOOD

A flood which has a one percent chance of being equaled or exceeded in any given year (also called the "100 year flood" or one-percent (1%) annual chance flood).

BASE FLOOD ELEVATION (BFE)

The level of inundation resulting from a flood that has a one percent or greater chance of being equaled or exceeded in any given year (BASE FLOOD).

BASEMENT

Any area of the building having its floor below ground level on all sides.

BLOOMSBURG IDENTIFIED FLOODPLAIN AREA (BIFA)

The FLOODPLAIN AREA specifically identified in this Chapter as being inundated by the ONE-PERCENT FLOOD. The IDENTIFIED FLOODPLAIN AREA shall be any area of the Town of Bloomsburg subject to the ONE-PERCENT FLOOD, which is identified as Zone AE (Area of Special Flood Hazard) within the most restrictive of the Flood Insurance Study (FIS) dated August 19, 2008, and "The Flood Recovery Report: Tropical Storm Lee – Wyoming Valley," dated June 2013.

BUILDING(S)

A combination of materials to form a permanent structure having walls and a roof. Included shall be all MANUFACTURED HOMES and trailers to be used for human habitation.

- A structure with 2 or more outside rigid walls and a fully secured roof, that is affixed to a permanent site; or
- A MANUFACTURED HOME (a "MANUFACTURED HOME," also known as a mobile home, is a structure built on a permanent chassis, transported to its site in 1 or more sections and affixed to a permanent foundation); or
- A travel trailer without wheels built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws. "Building" does not mean a gas or liquid storage tank or a RECREATIONAL VEHICLE, park trailer or other similar vehicle, except as described above.

CARPORT

A structure composed of vertical columns having no more than two (2) walls and having a roof constructed, or placed, for the purposes storing a vehicle.

DEVELOPMENT

Any man-made change to improved or unimproved real estate including, but not limited to, the placement, construction, reconstruction, renovation, REPAIR, EXPANSION, or alteration of BUILDINGS or other STRUCTURES; the placement of MANUFACTURED HOMES, streets and other paving, utilities, filling, grading, excavation, mining, dredging, drilling operations, storage of equipment or materials; and the Subdivision of land.

ELEVATION CERTIFICATE (Pre/Post Construction)

A form used to provide elevation information necessary to ensure compliance with community floodplain management ordinances; to determine the proper insurance premium rate; and or support a request for a Letter of Map Amendment (LOMA) to remove a building from the Special Flood Hazard Area.

The document can be found by searching: FEMA media library asset documents elevation certificate.

EXISTING MANUFACTURED HOME PARK

A MANUFACTURED HOME PARK or subdivision for which the construction of facilities for servicing the lots on which the MANUFACTURED HOMES are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

EXPANSION

An extension or increase in floor area or height of a building or structure.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FAIR MARKET VALUE (FMV)

The value a willing buyer would have paid and a willing seller would have sold a property for. For the purposes of these regulations, the FAIR MARKET VALUE shall be determined by acquiring the assessed value of a STRUCTURE multiplied by the current year’s multiplier as designated by the Columbia County Assessor’s Office. A certified appraisal provided by a licensed Real Estate Appraiser may be considered in making a determination.

FEMA

Federal Emergency Management Agency, United States Department of Homeland Security.

FLOOD

A temporary inundation of normally dry land areas.

FLOOD INSURANCE RATE MAP (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS)

The official report provided by the Federal Emergency Management Agency that includes flood profiles, the FLOOD INSURANCE RATE MAP, the Flood Boundary and Floodway Map, and the water surface elevation of the BASE FLOOD.

FLOODPLAIN ADMINISTRATOR

The Town Manager is the Town of Bloomsburg’s designee to administer and enforce the floodplain regulations. The FLOODPLAIN ADMINISTRATOR may delegate the duties of the Floodplain Administrator see §8-211.

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.

FLOODPROOFING

Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents

FLOODWAY

The channel of a river or other WATERCOURSE and the adjacent land areas that must be reserved in order to discharge the BASE FLOOD without cumulatively increasing the water surface elevation more than one foot.

FREEBOARD

An additional amount of height above the BASE FLOOD ELEVATION used as a factor of safety (The Town of Bloomsburg uses 1.5 feet above the Base Flood Elevation) in determining the level at which a structure's LOWEST FLOOR must be elevated or floodproofed to be in accordance with state or community floodplain management regulations.

HISTORIC STRUCTURE

Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a) By an approved state program as determined by the Secretary of the Interior; or
 - b) Directly by the Secretary of the Interior in states without approved programs.

IMPROVEMENT

NEW CONSTRUCTION, addition to, alteration of (also known as remodeling and/or renovating), and REPAIR of BUILDINGS and STRUCTURES.

LOWEST FLOOR

The lowest floor of the lowest enclosed area (including a BASEMENT). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a BASEMENT area, is not considered a building's LOWEST FLOOR provided that such enclosure is not built so as to render the structure in violation of requirements, (See table in Section 8-803).

MANUFACTURED HOME

A structure, transportable in one or more sections, which is built on a permanent chassis, and designed for use with or without a permanent foundation when attached to the required utilities. The term includes mobile homes, park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days. Housing which bears a label, as required by and referred to in the act of November 17, 1982 (P.L. 676, No. 192), known as the Manufactured Housing Construction and Safety Standards Authorization Act, certifying that it conforms to Federal construction and safety standards adopted under the Housing and Community Development Act of 1974 (Public Law 93-383, 88 Stat. 633).

MANUFACTURED HOME PARK OR SUBDIVISION

A parcel (or contiguous parcels) of land under single ownership, which has been planned and improved for the placement of two or more MANUFACTURED HOME lots for rent or sale (non-TRANSIENT use). Non-TRANSIENT to be a period of time greater than thirty (30) consecutive days.

NEW CONSTRUCTION

Structures for which the START OF CONSTRUCTION commenced on or after the effective start date of this floodplain management ordinance and includes any subsequent improvements to such structures. Any construction started after May 1, 1980 and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the START OF CONSTRUCTION was within 180 days of permit issuance.

NEW MANUFACTURED HOME PARK OR SUBDIVISION

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of

concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

NON-RESIDENTIAL BUILDING (including hotel/motel)

A commercial or mixed-use building where the primary use is commercial or non-habitational.

NON-STRUCTURAL DEVELOPMENT

DEVELOPMENT of land which does not include the placement of a building and/or structure. Some examples include: Site Work; Fill Placement; CARPORTS; Pools; Gazebos; Fences; Storage of Firewood and; other similar items and uses.

ONE-PERCENT ANNUAL CHANCE FLOOD

A Flood event having a one percent chance of being equaled or exceeded in any given year identified by referencing the most restrictive of the Flood Insurance Study (FIS) dated August 19, 2008 and “The Flood Recovery Report: Tropical Storm Lee – Wyoming Valley” dated June 2013, and adopted by the Town of Bloomsburg, (Also referred to as the Base Flood and the One Hundred (100) Year Flood).

PERSON

An individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility, or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.

POST-FIRM STRUCTURES

Is a structure for which construction or SUBSTANTIAL IMPROVEMENT occurred on or after the adoption of the community’s initial FLOOD INSURANCE RATE MAP (FIRM) dated May 1, 1980, and, as such, would be required to be compliant with the regulations of the National Flood Insurance Program.

PRE-FIRM STRUCTURES

Is a structure for which construction or SUBSTANTIAL IMPROVEMENT occurred before the community’s initial Flood Insurance Rate Map (FIRM) dated May 1, 1980 and, as such, may not have been compliant with the regulations of the National Flood Insurance Program.

RECREATIONAL VEHICLE

A vehicle which is:

- Built on a single chassis.
- Not more than 400 square feet measured at the largest horizontal projections.
- Designed to be self-propelled or permanently towable by a light-duty truck.
- Not designed for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use. This term shall include “job trailers” which are placed on site for the purposes of office space, meeting space and tool storage for the purposes of construction and/or DEVELOPMENT.

REGULATORY FLOOD ELEVATION

The base flood elevation (BFE) or estimated flood height as determined using simplified methods plus a freeboard safety factor of one and one-half (1 ½) feet. The freeboard safety factor also applies to utilities and ductwork.

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 exit way egress requirements; nor shall REPAIRS include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

RESIDENTIAL BUILDING

A non-commercial building designed for habitation by one or more families or a mixed-use building that qualifies as a single-family, 2 - 4 family, or other RESIDENTIAL BUILDING.

SPECIAL FLOOD HAZARD AREA (SFHA)

Special flood hazard area (SFHA) - means an area in the floodplain subject to a 1 percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or, AH.

SPECIAL PERMIT

A special approval which is required for hospitals, nursing homes, jails, and new MANUFACTURED HOME PARKS and subdivisions and SUBSTANTIAL IMPROVEMENTS

to such existing parks, when such DEVELOPMENT is located in all or a designated portion of a floodplain.

START OF CONSTRUCTION

Includes SUBSTANTIAL IMPROVEMENT and other proposed new DEVELOPMENT and means the date the permit was issued, provided the actual start of construction, REPAIR, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days after the date of the permit was issued and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the FLOODPLAIN ADMINSTRATOR. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a MANUFACTURED HOME on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a BASEMENT, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a SUBSTANTIAL IMPROVEMENT, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE

Anything constructed or erected, the use of which requires a permanent location on the land or that is attached to something having a permanent location on the land. However, for the purposes of the airport zoning provisions of this chapter structures shall be interpreted to include mobile as well as immobile objects, including buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines. For floodplain management purposes, a structure is also considered a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a MANUFACTURED HOME.

SUBSTANTIAL DAMAGE

Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT

Any reconstruction, rehabilitation, addition, or other IMPROVEMENT of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure, within any twelve month period, before the START OF CONSTRUCTION of the IMPROVEMENT. This term includes the REPAIR of STRUCTURES which have incurred "SUBSTANTIAL DAMAGE."

The term does not, however, include any project for IMPROVEMENT of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

1. HISTORIC STRUCTURES undergoing REPAIR or rehabilitation that would constitute a SUBSTANTIAL IMPROVEMENT as defined in this ordinance, must comply with all ordinance requirements that do not preclude the structure's continued designation as a HISTORIC STRUCTURE. Documentation that a specific ordinance requirement will cause removal of the structure from the National Register of Historic Places or the State Inventory of Historic places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from ordinance requirements will be the minimum necessary to preserve the historic character and design of the STRUCTURE.

TRANSIENT

A use or activity that occurs for a period of time which is less than thirty (30) days.

UNIFORM CONSTRUCTION CODE (UCC)

The statewide Building Code adopted by the Pennsylvania General Assembly in 1999, and subsequent regulations, applicable to NEW CONSTRUCTION, Alterations and REPAIRS in all municipalities whether administered by the municipality, a third party, or the Department of Labor and Industry and is applicable to RESIDENTIAL and COMMERCIAL BUILDINGS.

VIOLATION

The failure of a STRUCTURE or other DEVELOPMENT to be fully compliant with the community's floodplain management regulations. A STRUCTURE or other DEVELOPMENT without the Elevation Certificate, other certifications, or other evidence of compliance required by the community's floodplain management ordinance is presumed to be in violation until such time as that documentation is provided.

WATERCOURSE

A watercourse means only the channel and banks of an identifiable watercourse, and not the adjoining floodplain areas. The flood carrying capacity of a watercourse refers to the flood carrying capacity of the channel (except in the case of alluvial fans, where a channel is not typically defined).

PART 2. ADMINISTRATION

[Ord. 913, 8/11/2008, § 1.05]

Any ordinance or parts thereof that are inconsistent with this Chapter are hereby repealed.

§ 8-201. Floodplain Development Permits Required.

[Ord. 913, 8/11/2008, § 2.00]

1. Floodplain Development Permits shall be required before any construction, IMPROVEMENT, DEVELOPMENT, NON-STRUCTURAL DEVELOPMENT and REPAIRS undertaken within any BLOOMSBURG IDENTIFIED FLOODPLAIN AREA of the Town of Bloomsburg.

§ 8-202. Issuance of FLOODPLAIN DEVELOPMENT PERMIT.

[Ord. 913, 8/11/2008, § 2.01]

1. The Floodplain Administrator shall issue a Floodplain Development Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this chapter, the UNIFORM CONSTRUCTION CODE and all other applicable, statutes, codes and ordinances. The Town of Bloomsburg shall not be responsible for providing a list of additional permits, licenses, approvals, etc. As such, the issuance of a Floodplain Development Permit does not, in and of itself, preclude the requirements of any other agency.
 - A. The Floodplain Administrator shall issue a Permit only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
 - B. Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary government permits required by state and federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.
 - C. In the case of existing structures, prior to the issuance of any Development/Permit, the Floodplain Administrator shall review the proposed cost of improvements or REPAIRS and the pre-improvement market value of the structure, so that a substantial improvement/substantial damage determination can be made, in accordance with FEMA's Substantial Improvement/Substantial Damage Desk Reference.
 - D. During the construction period, the Floodplain Administrator or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.

- E. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
 - F. In the event the Floodplain Administrator discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the Floodplain Administrator shall revoke the Permit and report such fact to the Town Council for whatever action it considers necessary.
 - G. The Floodplain Administrator shall maintain in perpetuity, or for the lifetime of the structure, all records associated with the requirements of this ordinance including, but not limited to, finished construction elevation data, permitting, inspection and enforcement.
 - H. The Floodplain Administrator is the official responsible for submitting a biennial report to FEMA concerning community participation in the National Flood Insurance Program as requested.
 - I. The responsibility, authority and means to implement the commitments of the Floodplain Administrator can be delegated from the person identified. However, the ultimate responsibility lies with the person identified in the floodplain ordinance as the floodplain administrator/manager.
 - J. The Floodplain Administrator shall consider the requirements of the 34 PA Code and the 2009 IBC and the 2009 IRC, or the latest revision thereof as adopted by the Commonwealth of Pennsylvania.
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- 2. No encroachment, alteration, or IMPROVEMENT of any kind shall be made to any WATERCOURSE until all adjacent municipalities which may be affected by such action have been notified by the property owner and until all required permits or approvals have been first obtained from the Department of Environmental Protection Regional Office. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development shall be notified by the property owner prior to any alteration or relocation of any WATERCOURSE.
 - 3. No encroachment, alteration, or improvement of any kind shall be made to any watercourse unless it can be shown that the activity will not reduce or impede the flood carrying capacity of the watercourse in any way.

§ 8-203. Application Procedures and Requirements.

[Ord. 913, 8/11/2008, § 2.02]

- 1. Application of a Floodplain Development Permit shall be made, in writing, to the FLOODPLAIN ADMINISTRATOR on forms supplied by the Town of Bloomsburg and shall contain the following (2 copies required):

- A. Name and address of applicant;
 - B. Name and address of owner of land on which proposed construction is to occur;
 - C. Name and address of contractor;
 - D. Site location including address;
 - E. Listing of other permits required;
 - F. A description of proposed work and estimated cost, including a breakdown of the FLOOD-related cost and the market value of the BUILDING before any FLOOD damage and/or IMPROVEMENT is proposed to occur;
 - G. A plan of the site showing the exact size and location of the proposed construction, as well as, any existing BUILDINGS or STRUCTURES; and
 - H. An ELEVATION CERTIFICATE shall be required prior to the START OF CONSTRUCTION as well as a finished elevation certificate (as built) in order to verify compliance with floodplain regulations. A certificate of occupancy will not be issued prior to the receipt of the fore mentioned certificate. As such, occupancy of the building, structure, or parts thereof will be prohibited.
 - I. NON-STRUCTURAL DEVELOPMENT. Elevation certificates as well as certificates of occupancy may not be required based on compliance with these regulations as well as other Federal, Commonwealth & Local laws.
2. If any proposed construction or DEVELOPMENT is located entirely or partially within any BLOOMSBURG IDENTIFIED FLOODPLAIN AREA, applicants for Floodplain Development Permits shall provide all the necessary information in sufficient detail and clarity to enable the FLOODPLAIN ADMINISTRATOR to determine that:
- A. All such proposals are consistent with the need to minimize FLOOD damage and conform to the requirements of this chapter, the UCC and all other applicable statutes 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.
 - D. structures will be anchored to prevent floatation, collapse, or lateral movement;
 - E. building materials are flood-resistant;
 - F. appropriate practices that minimize flood damage have been used; and
 - G. electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and located to prevent water entry or accumulation.
 - H. to demonstrate best practices for sound stormwater drainage management.

3. Applicants may be required to file the following minimum information plus any other pertinent information as may be required by the FLOODPLAIN ADMINISTRATOR to make the above determination:
 - A. A completed Floodplain Development Permit application form.
 - B. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 1. North arrow, scale, and date;
 2. Topographic contour lines, if available;
 3. All property and lot lines, including dimensions, and the size of the site expressed in acres or square feet;
 4. The location of all existing and proposed BUILDINGS, STRUCTURES, and other IMPROVEMENTS, including the location of any existing or proposed SUBDIVISION and land DEVELOPMENT;
 5. The location of all existing streets, drives, and other access ways; and
 6. The location of any existing bodies of water or WATERCOURSES, IDENTIFIED FLOODPLAIN AREAs, and, if available, information pertaining to the FLOODWAY. Water flows including direction and velocities may also be required by the FLOODPLAIN ADMINISTRATOR
 - C. Plans of all proposed BUILDINGS, STRUCTURES, and other IMPROVEMENTS, drawn at suitable scale, showing the following:
 1. The proposed LOWEST FLOOR elevation of any proposed BUILDING based upon North American Vertical Datum of 1988;
 2. The BASE FLOOD ELEVATION and the REGULATORY FLOOD ELEVATION;
 3. Detailed illustration concerning proposed FLOODPROOFING measures and elevations (if applicable)
 4. Supplemental information as may be necessary under the requirements of the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24.
 - D. The following data and documentation:
 1. 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 pressures, velocities, impact, and uplift forces associated with the ONE-PERCENT 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.

2. Detailed information needed to determine compliance with § 8-404F, Storage, and § 8-405, Development Which May Endanger Human Life, including:
 - (a) The amount, location and purpose of any materials, or substances referred to in §§ 8-404F and 8-405 which are intended to be used, produced, stored, or otherwise maintained on site.
 - (b) 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 § 8-405 during a ONE-PERCENT FLOOD.
3. The appropriate component of the Department of Environmental Protection's Planning Module for Land Development.
4. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control, must be submitted.

§ 8-204. Review by County Conservation District.

[Ord. 913, 8/11/2008, § 2.03]

Plans may be submitted to the Columbia County Conservation Department for review and recommendation at the discretion of the FLOODPLAIN ADMINISTRATOR.

§ 8-205. Review of Application by Others.

[Ord. 913, 8/11/2008, § 2.04]

A copy of all plans and applications for any proposed construction or DEVELOPMENT in any BLOOMSBURG IDENTIFIED FLOODPLAIN AREA to be considered for approval may be submitted by the FLOODPLAIN ADMINISTRATOR to any other appropriate agencies and/or individuals (e.g., Planning Commission, Municipal Engineer, etc.) for review and comment.

§ 8-206. Changes.

[Ord. 913, 8/11/2008, § 2.05]

After the issuance of a Floodplain Development Permit by the FLOODPLAIN ADMINISTER no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the FLOODPLAIN ADMINISTRATOR. Requests for any such change shall be in writing and shall be submitted by the applicant to the FLOODPLAIN ADMINISTRATOR for consideration.

§ 8-207. Placards.

[Ord. 913, 8/11/2008, § 2.06]

In addition to the Floodplain Development Permit, the FLOODPLAIN ADMINISTRATOR shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the identification number of the building permit, the date of its issuance, a description of the approved construction, expiration date, list of any required inspections, and it shall be signed by the FLOODPLAIN ADMINISTRATOR, or his or her designee.

§ 8-208. Start of Construction.

[Ord. 913, 8/11/2008, § 2.07]

1. START OF CONSTRUCTION - includes SUBSTANTIAL IMPROVEMENTS and other proposed new DEVELOPMENT and means the date the Permit was issued, provided the actual START OF CONSTRUCTION, REPAIR, reconstruction, rehabilitation, addition, placement, or other IMPROVEMENT was within 180 days after the date of the permit and shall be completed within twelve (12) months after the date of issuance of the permit unless a time extension is granted, in writing, by the Floodplain Administrator. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and walkways; nor does it include excavation for a BASEMENT, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a SUBSTANTIAL IMPROVEMENT, the actual START OF CONSTRUCTION means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
2. Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the FLOODPLAIN ADMINISTRATOR to approve such a request and the original permit is compliant with the ordinance & FIRM/FIS in effect at the time the extension is granted.

§ 8-209. Inspection and Revocation.

[Ord. 913, 8/11/2008, § 2.08]

1. During the construction period, the FLOODPLAIN ADMINISTRATOR or other authorized official shall inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable municipal laws and ordinances. He/she shall make as many inspections during and upon completion of the work as are necessary.

2. In the discharge of his/her duties, the FLOODPLAIN ADMINISTRATOR shall have the authority to enter any BUILDING, STRUCTURE, premises, or DEVELOPMENT in the BLOOMSBURG IDENTIFIED FLOODPLAIN AREA, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Chapter.
3. In the event the FLOODPLAIN ADMINISTRATOR discovers that the work does not comply with the permit application or any applicable laws and ordinances, or that there has been a false statement or misrepresentation by any applicant, the FLOODPLAIN ADMINISTRATOR shall suspend and/or revoke the building permit.
4. A record of all such inspections and VIOLATIONS of this Chapter shall be maintained.

§ 8-210. Fees.

[Ord. 913, 8/11/2008, § 2.09]

An application for a Floodplain Development Permit shall be accompanied by a fee payable to the Town of Bloomsburg in an amount as established by resolution of the Town Council of the Town of Bloomsburg from time to time.

§ 8-211. Enforcement.

[Ord. 913, 8/11/2008, § 2.10]

1. The Town Manager shall be designated by the Bloomsburg Town Council to administer and enforce this ordinance and is referred to herein as the FLOODPLAIN ADMINISTRATOR. The FLOODPLAIN ADMINISTRATOR is responsible for the administration and enforcement of these regulations. The TOWN may also fulfill the duties and responsibilities set forth in these regulations in one, or more, of the following manners;
 - A. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other staff members; and/or
 - B. Enter into a written agreement or written contract with another agency or private sector entity to administer specific provisions of these regulations.
2. In the absence of a Designated FLOODPLAIN ADMINISTRATOR, the FLOODPLAIN ADMINISTRATOR duties are to be fulfilled by the Chief Executive Officer, or his/her designee, of the Town of Bloomsburg.
3. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.
4. Notices. Whenever the FLOODPLAIN ADMINISTRATOR or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a VIOLATION of any provisions of this Chapter, or of any regulations adopted pursuant thereto, the FLOODPLAIN ADMINISTRATOR shall give notice of such alleged VIOLATION as hereinafter provided. Notices shall contain the following:
 - A. Be in writing;

- B. Include a statement of the reasons for its issuance;
- C. Allow a reasonable time not to exceed a period of 30 days for the performance of any act it requires;
- D. Be served upon the property owner or his/her agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State; and
- E. Contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter.

§ 8-212. Appeals.

[Ord. 913, 8/11/2008, § 2.11]

1. Any PERSON aggrieved by any action or decision of the FLOODPLAIN ADMINISTRATOR concerning the administration of the provisions of this Chapter may appeal to the Zoning Hearing Board of the Town of Bloomsburg. Such appeal must be filed, in writing, within 30 days after the decision, determination, or action of the FLOODPLAIN ADMINISTRATOR and shall be accompanied by a fee payable to the Town of Bloomsburg in an amount as established by resolution of the Town Council of the Town of Bloomsburg from time to time.
2. Upon receipt of such appeal, the Zoning Hearing Board shall set a time and place, within not less than 10 days nor more than 30 days, for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties. The hearing will be held in accordance with the provisions of the Local Agency Act.
3. Any PERSON aggrieved by any decision of the Zoning Hearing Board may seek relief there from by appeal to court, as provided by the laws of this Commonwealth including the Pennsylvania Floodplain Management Act.

§ 8-213. Penalties.

Any person violating any of the ordinances adopted by the town council shall, upon conviction thereof in a summary proceeding, be sentenced to pay such fine as may be prescribed in such ordinances by the town council but not in excess of \$1,000, to be paid to the use of the incorporated town, with costs of prosecution, or to be imprisoned for not more than ten days, or both. In addition to the above penalties all other actions are hereby reserved including an action in equity for the proper enforcement of this Ordinance. The imposition of a fine or penalty for any VIOLATION of, or noncompliance with this Ordinance shall not excuse the violation or noncompliance or permit it to continue. All such PERSONS shall be required to correct or remedy such VIOLATIONS and noncompliance within a reasonable time. Any

DEVELOPMENT initiated or any structure or building constructed, reconstructed, enlarged, altered, or relocated, in noncompliance with this Ordinance may be declared by the Town to be a public nuisance and abatable as such..

PART 3. IDENTIFICATION OF FLOODPLAIN AREAS

§ 8-301. Identification of BLOOMSBURG IDENTIFIED FLOODPLAIN AREA.

Any areas of the town of Bloomsburg, classified as Special Flood Hazard Areas (SFHAs) in the Flood Insurance Study (FIS) and the accompanying Flood Insurance Rate Maps (FIRMs) dated August 19, 2008 and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the Flood Insurance Study and, any Community Identified Flood Hazard Areas (including but not limited to The Flood Recovery Report: Tropical Storm Lee- Wyoming Valley” dated June 2013).

The above referenced FIS and FIRMs, and any subsequent revisions and amendments are hereby adopted by the Town of Bloomsburg and declared to be a part of this ordinance.

§ 8-302. Description of Floodplain Areas.

[Ord. 913, 8/11/2008, § 3.01]

The BLOOMSBURG IDENTIFIED FLOODPLAIN AREA shall consist of the following specific areas:

1. FW (Floodway Area): the areas identified as "FLOODWAY" in the AE Zone by the “The Flood Recovery Report: Tropical Storm Lee- Wyoming Valley” dated June 2013 prepared-by FEMA. The term shall also include FLOODWAY areas which have been identified in other available studies or sources of information for those floodplain areas where no FLOODWAY has been identified in the Flood Insurance Study. In this Chapter, where not identified and no other data is available, the FLOODWAY shall be all land located between the edge of the top-of-bank and fifty (50) feet landward of any WATERCOURSE, including Kinney’s Run.
2. AE Zone: The AE Area/District shall be those areas identified as an AE Zone in the more restrictive of the FIRM included in the FIS or “The Flood Recovery Report: Tropical Storm Lee- Wyoming Valley” dated June 2013 prepared by FEMA for which BASE FLOOD ELEVATIONS have been provided. The AE Area adjacent to the floodway shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided and a floodway has been delineated.
3. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided.

§ 8-303. Changes in Identification of Area.

[Ord. 913, 8/11/2008, § 3.02]

The BLOOMSBURG IDENTIFIED FLOODPLAIN AREA may be revised or modified by Town Council where studies or information provided by a qualified agency or PERSON documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency (FEMA). New technical data with changes must be submitted to FEMA as soon as practicable, but no later than six months after the data, including flood carrying capacities for any altered, or relocated, WATERCOURSE becomes available.

§ 8-304. Boundary Disputes.

[Ord. 913, 8/11/2008, § 3.03]

Should a dispute between the FLOODPLAIN ADMINISTRATOR and an aggrieved party concerning any identified floodplain boundary arise, the aggrieved party may appeal to the Zoning Hearing Board. *See § 8-212.*

PART 4. TECHNICAL PROVISIONS

§ 8-401. Special Requirements for IDENTIFIED FLOODPLAIN AREAS.

1. Within any FLOODWAY, the following provisions apply.
 - A. No encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
 - B. No NEW CONSTRUCTION or DEVELOPMENT shall be allowed unless a permit is obtained from the Department of Environmental Protection Regional Office.

2. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided.
 - A. AE Area without floodway shall be those areas identified as an AE zone on the FIRM included in the FIS prepared by FEMA for which base flood elevations have been provided but no floodway has been determined.
 - i. No encroachments, including fill, new construction, substantial improvements, or other development shall be permitted in an AE Zone

without floodway, unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed development together with all other existing and anticipated development, would not result in an increase in flood levels of more than one foot within the entire community during the occurrence of the base flood discharge.

- B. No NEW CONSTRUCTION or DEVELOPMENT shall be located within the area measured 50 feet landward from the top-of-bank of any WATERCOURSE unless a permit is obtained from the Department of Environmental Protection Regional Office.
3. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no base flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable sources shall be used when available. Where other acceptable information is not available, the base flood elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

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 in sufficient detail to allow a thorough technical review by the Town of Bloomsburg.

§ 8-402. Elevation and FLOODPROOFING Requirements.

[Ord. 913, 8/11/2008, § 4.02]

1. RESIDENTIAL STRUCTURES. Within any IDENTIFIED FLOODPLAIN AREA, any NEW CONSTRUCTION, or SUBSTANTIAL IMPROVEMENT of a residential STRUCTURE shall have the LOWEST FLOOR (including BASEMENT) elevated at or above the REGULATORY FLOOD ELEVATION. Compliance with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.
2. NONRESIDENTIAL STRUCTURES.
 - A. In the BLOOMSBURG IDENTIFIED FLOODPLAIN AREA, any NEW CONSTRUCTION or SUBSTANTIAL IMPROVEMENT of a NON-RESIDENTIAL structure shall have the LOWEST FLOOR (including BASEMENT) elevated up to, or above, the Regulatory Flood Elevation, or be designed and constructed so that the space enclosed below the REGULATORY FLOOD ELEVATION:
 - (1). is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water and,
 - (2). has structural components with the capability of resisting hydrostatic

and hydrodynamic loads and effects of buoyancy.

- B. Compliance with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.
- C. Any non-residential structure, or part thereof, made watertight below the Regulatory Flood Elevation shall be floodproofed 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, as amended March 1992) 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. There should be a statement submitted with the permit application and a statement submitted with the as-built Floodproofing Certificate prior to the issuance of the Certificate of Occupancy.
- D. Any non-residential structure that will be floodproofed must submit the following to the Floodplain Administrator along with the non-residential Floodproofing Certificate and prior to the issuance of the Certificate of Occupancy:
 - 1) An Inspection and Maintenance Plan detailing the annual maintenance of floodproofed components ensuring that all components will operate properly under flood conditions. Components that must be inspected include at a minimum:
 - a. Mechanical equipment such as sump pumps and generators,
 - b. Flood shields and closures,
 - c. Walls and wall penetrations, and
 - d. Levees and berms (as applicable)
 - 2) Flood Emergency Operation Plan detailing the procedures to be followed during a flooding event, and must include information pertaining to how all components will operate properly under all conditions, including power failures. The design professional must produce the plan. An adequate plan must include the following:
 - a. An established chain of command and responsibility with leadership responsibilities clearly defined for all aspects of the plan.
 - b. A procedure for notification of necessary parties when flooding threatens and flood warnings are issued. Personnel required to be at the building should have a planned and safe means of ingress

and should have no other emergency response duties during a flood event. Alternates should be assigned in the event that the primary persons responsible are unable to complete their assigned duties under the plan.

- c. A list of specific duties assigned to ensure that all responsibilities are addressed expeditiously. The locations of materials necessary to properly install all floodproofing components must be included in the list.
- d. An evacuation plan for all personnel or occupants; those without duties for the flood emergency as well as those with duties for implementing the plan. All possible ingress and egress routes must be identified.
- e. A periodic training and exercise program to keep personnel and occupants aware of their duties and responsibilities. Training drills should be held at least once a year and should be coordinated with community officials.

3. Space below the LOWEST FLOOR.

- A. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.
- B. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - a. A minimum of two (2) openings having a net total area of not less than one (1) square inch for every one (1) square foot of enclosed space (floor area). These opening must not be located along the same wall.
 - b. The bottom of all openings, stated in §8-403.3.B.2)a. must be no higher than twelve (12) inches above exterior grade.
 - c. Openings may be equipped with screens, louvers, etc. Other products that allow the automatic entry and exit of floodwaters are also acceptable.
 - d. Compliance with the design, construction standards and specifications contained in the Pennsylvania Construction Code

Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.

4. ACCESSORY STRUCTURES need not be elevated or floodproofed to remain dry, but shall comply, at a minimum, with the following requirements:
 - A. The STRUCTURE shall not be designed or used for human habitation, but shall be limited to the parking of vehicles or to the storage of tools, material, and equipment related to the principal use or activity.
 - B. Floor area shall not exceed two hundred (200) square feet.
 - C. The STRUCTURE will have a low damage potential.
 - D. The STRUCTURE will be located on the site so as to cause the least obstruction to the flow of floodwaters.
 - E. Power lines, wiring, and outlets will be elevated at least to the REGULATORY FLOOD ELEVATION.
 - F. Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc., are prohibited below the REGULATORY FLOOD ELEVATION.
 - G. Sanitary facilities are prohibited.
 - H. The STRUCTURE shall be adequately anchored to prevent flotation or movement and shall be designed to automatically provide for the entry and exit of floodwater for the purpose of equalizing hydrostatic forces on the walls. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - 1) A minimum of two openings having a net total area of not less than one square inch for every square foot of enclosed space.
 - 2) The bottom of all openings shall be no higher than twelve (12) inches above exterior grade.
 - 3) Openings may be equipped with screens, louvers, etc., or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.
 - I. For accessory structures that are 200 square feet or larger in area (footprint) and that are below the base flood elevation, a variance is required as set forth in Article VIII. If a variance is granted, a signed Declaration of Land Restriction (Nonconversion Agreement) shall be recorded on the property deed prior to issuance of the Certificate of Occupancy. No variances shall be granted for a proposed accessory structure that exceeds 600 square feet in size. A signed Non-Conversion Agreement is required as a condition of receiving the variance.

§ 8-403. Design and Construction Standards.
[Ord. 913, 8/11/2008, § 4.03]

The following minimum standards shall apply for all construction and DEVELOPMENT proposed within any IDENTIFIED FLOODPLAIN AREA:

1. Fill.
 - A. Fill is not permitted to be placed within a designated FLOODWAY.
 - B. Sanitary landfills shall not be permitted.
 - C. If fill is used, it shall:
 - 1) Extend laterally at least 15 feet beyond the building line from all points.
 - 2) Consist of soil and/or small rock materials, sized 2B or smaller, only.
 - 3) Be no steeper than one (1) unit vertical to two (2) units horizontal.
 - 4) In lieu of § 8-404.1.C. 1) through 3) (above), designs for the placement of fill must be certified by a registered professional engineer or landscape architect.
 - 5) Be used to the extent to which it does not adversely affect adjacent properties (Refer to provisions found within the UCC and referenced publications).
 - 6) Comply with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.
2. Drainage Facilities. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure proper drainage along streets and provide positive drainage away from BUILDINGs. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties, water and sanitary sewer facilities and systems.
3. Water and Sanitary Sewer Facilities and Systems.
 - A. All new or replacement water and sanitary sewer facilities and systems shall be located, designed, and constructed to minimize or eliminate FLOOD damages and the infiltration of floodwaters.
 - B. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
 - C. No part of any on-site waste disposal system shall be located within any IDENTIFIED FLOODPLAIN AREA except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a FLOOD.
 - D. Must comply with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.

4. Other Utilities. All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible), and constructed to minimize the chance of impairment during a FLOOD.
5. Streets. The finished elevation of all new streets shall be no greater than one (1) foot below the BASE FLOOD ELEVATION.
6. Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in § 8-405, Development Which May Endanger Human Life, shall be stored at or above the REGULATORY FLOOD ELEVATION or floodproofed to the maximum extent possible.
7. Placement of BUILDINGS and STRUCTURES. All BUILDINGS and STRUCTURES shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
8. Anchoring.
 - A. All BUILDINGS and STRUCTURES shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 - B. All air ducts, pipes, storage tanks, and other similar objects or components located below the REGULATORY FLOOD ELEVATION shall be securely anchored or affixed to prevent flotation.
 - C. The design and construction requirements of the UCC pertaining to this subsection as referred to in The Standards and Specifications contained in the Pennsylvania Construction Code Act and subsequent regulations and/or ASCE 24 shall be utilized.
9. Floors, Walls and Ceilings,
 - A. Wood flooring used at or below the REGULATORY FLOOD ELEVATION shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the BUILDING.
 - B. Plywood used at or below the REGULATORY FLOOD ELEVATION shall be of a marine or water-resistant variety.
 - C. Walls and ceilings at or below the REGULATORY FLOOD ELEVATION shall be designed and constructed of materials that are water-resistant and will withstand inundation.

- D. Windows, doors, and other components at or below the REGULATORY FLOOD ELEVATION shall be made of metal or other water-resistant material.
- E. Must comply with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.

10. Paints and Adhesives.

- A. Paints and other finishes used at or below the REGULATORY FLOOD ELEVATION shall be of marine or water-resistant quality.
- B. Adhesives used at or below the REGULATORY FLOOD ELEVATION shall be of a marine or water-resistant variety.
- C. All wooden components (doors, trim, cabinets, etc.) shall be finished with a marine or water-resistant paint or other finishing material.
- D. Must comply with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 is required.

11. Electrical Components.

- A. Lowest portion of the electrical distribution panels shall be no less than two (2) feet above the REGULATORY FLOOD ELEVATION.
- B. Separate electrical circuits shall serve lower levels and shall be dropped from above.
- C. The provisions pertaining to The Standards and Specifications contained in the Pennsylvania Construction Code Act and subsequent regulations and/or ASCE 24 shall be utilized.

12. Equipment.

- A. Water heaters, furnaces, air-conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the REGULATORY FLOOD ELEVATION.
- B. The provisions pertaining this section and The Standards and Specifications contained in the Pennsylvania Construction Code Act and subsequent regulations and/or ASCE 24 shall be utilized.

13. Fuel Supply Systems. All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharges from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.

14. Fences and Walls. Fence and/or Wall types will be permitted within the BIFA as permitted by Table 8-801.1.

15. Uniform Construction Code Coordination. All provisions provided within this section (§8-404.) shall comply with the design, construction standards and specifications contained in the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24 as applicable.

§ 8-404. Development Which May Endanger Human Life.

[Ord. 913, 8/11/2008, § 4.04]

1. In accordance with the Pennsylvania Floodplain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, any NEW CONSTRUCTION or SUBSTANTIALLY IMPROVED STRUCTURE which will be used for the production or storage of any of the following dangerous materials or substances; or will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or, will involve the production, storage, or use of any amount of radioactive substances shall be subject to the provisions of this section, in addition to all other applicable provisions.

The following list of materials and substances are considered dangerous to human life:

- Acetone
- Ammonia
- Benzene
- Calcium carbide
- Carbon disulfide
- Celluloid
- Chlorine
- Hydrochloric acid
- Hydrocyanic acid
- Magnesium
- Nitric acid and oxides of nitrogen
- Petroleum products (gasoline, fuel oil, etc.)
- Phosphorus
- Potassium
- Sodium
- Sulphur and Sulphur products
- Pesticides (including insecticides, fungicides, and rodenticides)
- Radioactive substances, insofar as such substances are not otherwise regulated

2. Within any FLOODWAY, any STRUCTURE of the kind described in **8-405.1** shall be prohibited.
3. Where permitted within any Identified Floodplain Area, any new or substantially improved residential structure of the kind described in §8-405.1, above, shall be elevated to remain completely dry up to at least one and one half (1 ½) feet above base flood elevation and built in accordance with Sections 8-202.2, 8-202.3, 8-403 and 8-404.
4. Any new or SUBSTANTIALLY IMPROVED NON-RESIDENTIAL structure of the kind described in **8-404**, shall be built in accordance with Sections 8-202.2, 8-202.3, 8-402 and 8-403, including:
 - A. Elevated, or designed and constructed to remain completely dry up to at least one and one half (1 ½) feet above BASE FLOOD EVELATION, and
 - B. Designed to prevent pollution from the structure or activity during the course of a BASE FLOOD.

Any such structure, or part thereof, that will be built below the REGULATORY FLOOD ELEVATION shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972 as amended March 1992), or with some other equivalent watertight standard.

§ 8-405. Special Requirements for Manufactured Homes.

[Ord. 913, 8/11/2008, § 4.05]

1. MANUFACTURED HOMES shall be prohibited within the FLOODWAY.
2. Where permitted within any IDENTDIFIED FLOODPLAIN AREA, all MANUFACTURED HOMES and any improvements thereto shall be:
 - A. Placed on a permanent foundation.
 - B. Elevated so that the LOWEST FLOOR of the MANUFACTURED HOME is at or above the REGULATORY FLOOD ELEVATION.
 - C. Anchored to resist flotation, collapse, or lateral movement.
 - D. Installed in accordance with the manufacturers' installation instructions for installation within an IDENTIFIED FLOODPLAIN AREA as provided by the manufacturer. Where the applicant cannot provide the above information, the following shall be acceptable:
 - 1) The Pennsylvania Construction Code Act and subsequent regulations and/or;
 - 2) ASCE 24 and/or;
 - 3) The United States Department of Housing and Urban Development's Permanent Foundations for Manufactured Housing, 1984 Edition, draft, or latest revision thereto, shall apply and 34 PA Code (Chapters 401-405, as amended).

- E. The most stringent of regulations § 8-406.2.D.1) through § 8-406.2.D.3) shall apply.
- F. Dry stacked block is not an acceptable permanent foundation for the installation of MANUFACTURED HOUSING located within the BIFA.

§ 8-406. Special Requirements for Recreational Vehicles.

- 1. Recreational vehicles in Zones A, A1-30, AH and AE must either:
 - A. be on the site for fewer than 180 consecutive days, and
 - B. be fully licensed and ready for highway use, or
 - C. meet the permit requirements for manufactured homes in Section 8-405.

§ 8-407. Special Requirements for Subdivisions and Development.

All subdivision proposals and development proposals containing at least 50 lots or at least 5 acres, whichever is the lesser, in Identified Floodplain Areas where base flood elevation data are not available, shall be supported by hydrologic and hydraulic engineering analyses that determine base flood elevations and floodway information. The analyses shall be prepared by a PA Registered engineer in a format required by FEMA for a Conditional Letter of Map Revision (CLOMR) and Letter of Map Revision (LOMR). Submittal requirements and processing fees shall be the responsibility of the applicant.

PART 5. ACTIVITIES REQUIRING SPECIAL PERMITS

§ 8-501. General.

[Ord. 913, 8/11/2008, § 5.00]

In accordance with the administrative regulations promulgated by the Department of Community and Economic Development to implement the Pennsylvania Floodplain Management Act, the following activities shall be prohibited within any IDENTIFIED FLOODPLAIN AREA unless a SPECIAL PERMIT has been issued by the Town of Bloomsburg:

- 1. The commencement of any of the following activities, or the construction, enlargement, or EXPANSION of any STRUCTURE used, or intended to be used, for any of the following activities:
 - A. Hospitals.
 - B. Nursing homes.
 - C. Jails or prisons.

2. The commencement of, or any construction of, a new MANUFACTURED HOME PARK or MANUFACTURED HOME subdivision, or SUBSTANTIAL IMPROVEMENT to an EXISTING MANUFACTURED HOME PARK or MANUFACTURED HOME subdivision.

§ 8-502. Application Requirements for Special Permits.
[Ord. 913, 8/11/2008, § 5.01]

Applicants for SPECIAL PERMITS shall provide five copies of the following items:

1. A written request including a completed Floodplain Development Permit application form.
2. A site map showing the vicinity in which the proposed site is located drawn at a scale which is no less than one (1) inch equaling one thousand (1,000) feet.
3. A site plan, clearly and legibly drawn shall be submitted. Unless otherwise permitted, or required, by the FLOODPLAIN ADMINISTRATOR a scale of one (1) inch being equal to one hundred (100) feet, showing the following:
 - A. North arrow, scale, and date.
 - B. Topography based upon the North American vertical datum of 1988, showing existing and proposed contours at intervals of two feet.
 - 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 streets, drives, other access ways, and parking areas, with information concerning widths, pavement types, construction, and elevations.
 - E. The location of any existing bodies of water or WATERCOURSES, BUILDINGS, STRUCTURES, and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or DEVELOPMENT.
 - F. The location of the floodplain boundary line, information and spot elevations concerning the BASE FLOOD ELEVATION, and information concerning the flow of water, including direction and velocities.
 - G. The location of all proposed BUILDINGs, STRUCTUREs, utilities, and any other IMPROVEMENTS.
 - H. Any other information which the municipality considers necessary for adequate review of the application.
4. Plans of all proposed BUILDINGs, STRUCTUREs, and other IMPROVEMENTS, clearly and legibly drawn at suitable scale showing the following:

- A. Sufficiently detailed architectural or engineering drawings, including floor plans, sections, and exterior BUILDING elevations, as appropriate.
 - B. For any proposed BUILDING, the elevation of the LOWEST FLOOR (including BASEMENT) and, as required, the elevation of any other floor.
 - C. Complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the ONE-PERCENT FLOOD.
 - D. Detailed information concerning any proposed FLOODPROOFING measures.
 - E. Cross-section drawings for all proposed streets, drives, other access ways, and parking areas, showing all rights-of-way and pavement widths.
 - F. Profile drawings for all proposed streets, drives, and vehicular access ways, including existing and proposed grades.
 - G. Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.
5. The following data and documentation:
- 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/she represents.
 - B. Certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the ONE-PERCENT FLOOD.
 - C. 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-PERCENT FLOOD, including a statement concerning the effects such pollution may have on human life.
 - D. 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-PERCENT FLOOD elevations and flows.
 - E. 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-PERCENT FLOOD elevation and the effects such materials and debris may have on ONE-PERCENT FLOOD elevations and flows.
 - F. The appropriate component of the Department of Environmental Protection's "Planning Module for Land DEVELOPMENT."

- G. Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.
- H. Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under Section 302 of Act 1978-166.
- I. An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a ONE-PERCENT FLOOD.

§ 8-503. SPECIAL PERMIT Application Review Procedures for Special Permits Applications.
[Ord. 913, 8/11/2008, § 5.02]

Upon receipt of an application for a SPECIAL PERMIT by the Town of Bloomsburg, the following procedures shall apply in addition to those of Part 2:

1. Within five (5) business days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the application shall also be forwarded to the Town of Bloomsburg Planning Commission and the Town of Bloomsburg's engineer for review and comment.
2. If an application is received that is incomplete, the Town of Bloomsburg shall notify the applicant in writing, stating in what respect the application is deficient.
3. Town of Bloomsburg Planning Commission shall make its recommendation to Bloomsburg Town Council within 90 days of the application being accepted. Bloomsburg Town Council shall approve or disapprove the application within 60 days of the receipt of the recommendation from the Town of Bloomsburg Planning Commission.
4. If the Town of Bloomsburg decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
5. If the Town of Bloomsburg approves an application, it shall file written notification, together with the application and all pertinent information, with the Pennsylvania Department of Community and Economic Development, by registered or certified mail, within five business days after the date of approval.
6. Before issuing the SPECIAL PERMIT, the Town of Bloomsburg shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and decision made by the Town of Bloomsburg.
7. If the Town of Bloomsburg does not receive any communication from the Department of Community and Economic Development during the thirty-day review period, it may issue a SPECIAL PERMIT to the applicant.

8. If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Town of Bloomsburg and the applicant, in writing, of the reasons for the disapproval, and the Town of Bloomsburg shall not issue the SPECIAL PERMIT.

§ 8-504. Special Technical Requirements.

[Ord. 913, 8/11/2008, § 5.03]

1. In addition to the requirements of Part 4 of this Chapter, the following minimum requirements shall also apply to any proposed DEVELOPMENT requiring a SPECIAL PERMIT. If there is any conflict between any of the following requirements and those in Part 4 of this Chapter or in any other statute, code, ordinance, or regulation, the more restrictive provision shall apply.
2. No application for a SPECIAL PERMIT shall be approved unless it can be determined that the STRUCTURE or activity will be located, constructed, and maintained in a manner which will comply with the following:
 - A. Fully protect the health and safety of the general public and any occupants of the STRUCTURE. At a minimum, all new STRUCTUREs shall be designed, located, and constructed so that:
 - 1) The STRUCTURE will withstand inundation by waters of the ONE-PERCENT FLOOD without any lateral movement or damage to either the STRUCTURE itself, or to any of its equipment or contents below the ONE-PERCENT FLOOD elevation.
 - 2) The LOWEST FLOOR (including BASEMENT) elevation will be at least the REGULATORY FLOOD ELEVATION.
 - 3) The occupants of the STRUCTURE can remain inside for an indefinite period of time and be safely evacuated at any time during the ONE-PERCENT FLOOD.
 - B. Prevent any significant possibility of pollution, increased FLOOD levels or flows, or debris endangering life and property.
3. All 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 Town of Bloomsburg and the Department of Community and Economic Development.

PART 6. EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

§ 8-601. Existing Structures.

[Ord. 913, 8/11/2008, § 6.00]

The provisions of this Chapter do not require any changes or IMPROVEMENTS to be made to lawfully existing STRUCTURES. However, when an improvement is made to any existing STRUCTURE, the provisions of § 8-602 shall apply.

§ 8-602. IMPROVEMENTS.

[Ord. 913, 8/11/2008, § 6.01]

The following provisions shall apply whenever any improvement is made to an existing STRUCTURE located within any IDENTIFIED FLOODPLAIN AREA:

1. Any modification, alteration, reconstruction, or IMPROVEMENT of any kind to an existing STRUCTURE, to an extent or amount of 50% or more of its market value (SUBSTANTIAL IMPROVEMENT) shall be undertaken only in full compliance with the provisions of this Chapter. The above activity shall also be in compliance with the Pennsylvania Construction Code Act, and subsequent regulations (U.C.C.); and/or ASCE 24 may be utilized.
2. Any modification, alteration, reconstruction, or IMPROVEMENT of any kind to an existing STRUCTURE, to an extent or amount of less than 50% of its market value, shall be elevated and/or floodproofed to the greatest extent possible.
3. No expansion or enlargement of an existing structure shall be allowed within any Floodway Area/District that would cause any increase in BFE.
4. No expansion or enlargement of an existing structure shall be allowed within AE Area/District without floodway that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point.
5. The requirements of the Pennsylvania Construction Code Act and subsequent regulations (U.C.C.) and/or ASCE 24.

PART 7. VARIANCES

§ 8-701. General.

[Ord. 913, 8/11/2008, § 7.00]

1. Requests for variances shall be considered by the Town of Bloomsburg Zoning Hearing Board in accordance with the procedures contained in § 8-212 and the following:
 - A. No variance shall be granted for any construction, DEVELOPMENT, use, or activity within any FLOODWAY which would cause any increase in BFE.
 - B. No variance shall be granted for any construction, development, use, or activity within any AE Area/District without floodway that would, together with all other

existing and anticipated development, increase the BFE more than one (1) foot at any point.

- C. Except for a possible modification of the REGULATORY FLOOD ELEVATION, and/or any other elevations required by this chapter, no variance shall be granted for any of the other requirements pertaining specifically to DEVELOPMENT regulated by SPECIAL PERMIT (Part 5) or to DEVELOPMENT which may endanger human life (§ 8-404).
 - D. No variances shall be granted for a proposed accessory structure that exceeds 600 square feet in size. A signed Non-Conversion Agreement is required as a condition of receiving the variance
 - E. If granted, a variance shall involve only the least modification necessary to provide relief.
 - F. In granting any variance, the Town of Bloomsburg Zoning Hearing Board shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare and to achieve the objectives of this Chapter.
 - G. Whenever a variance is granted, the FLOODPLAIN ADMINISTRATOR shall notify the applicant in writing that:
 - 1) The granting of the variance may result in increased premium rates for FLOOD insurance.
 - 2) Such variances may increase the risks to life and property.
 - H. In reviewing any request for a variance, the Town of Bloomsburg Zoning Hearing Board shall consider, at a minimum, the following:
 - 1) That there is good and sufficient cause.
 - 2) That failure to grant the variance would result in exceptional hardship to the applicant.
 - 3) That the granting of the variance will neither result in an unacceptable or prohibited increase in FLOOD heights, additional threats to public safety, or extraordinary public expense, nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
 - I. A complete record of all variance requests and related actions shall be maintained by the FLOODPLAIN ADMINISTRATOR. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Emergency Management Agency.
2. Notwithstanding any of the above, however, all STRUCTURES shall be designed and constructed so as to have the capability of resisting the ONE-PERCENT FLOOD.

3. Applications for variance shall be accompanied by a fee payable to the Town of Bloomsburg in an amount as established by resolution of the Town Council of the Town of Bloomsburg from time to time and a hearing will be held before Town Council in accordance with the provisions of the Local Agency Act.

PART 8. TABLES & ILLUSTRATIONS

§8-801.Tables

FENCES / WALLS

[Figure 8-801.]

FLOOD CONTROL: STANDARDS FOR FENCING / WALLS

Fence/Wall Type	Uses of Fencing /Walls permitted

	AE ZONES	FLOODWAY
A	Yes	Yes
B	Yes	Yes, with limited cross fencing
C	Design Specifications required.	Design specifications required
D	Yes, if elevated	Review of Design required
E	Yes, if elevated	No
F	Review of design required.	No

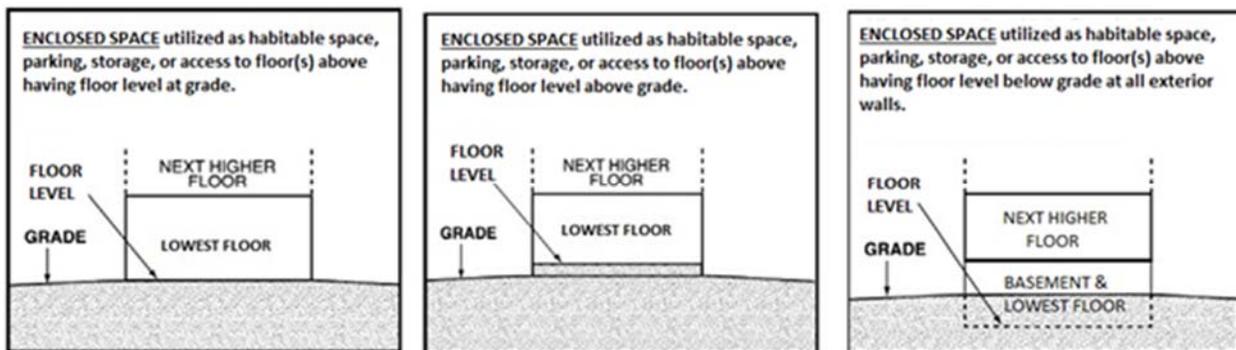
Fence / Wall Types:

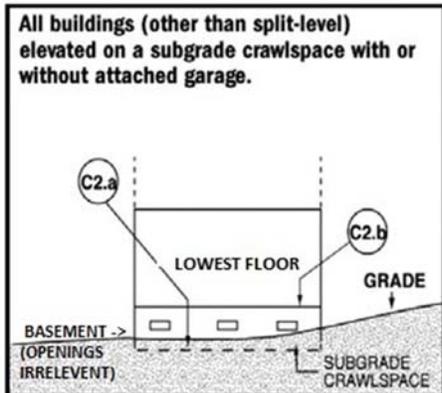
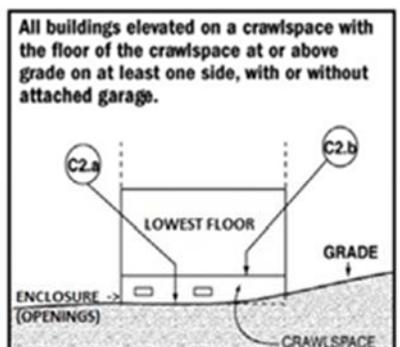
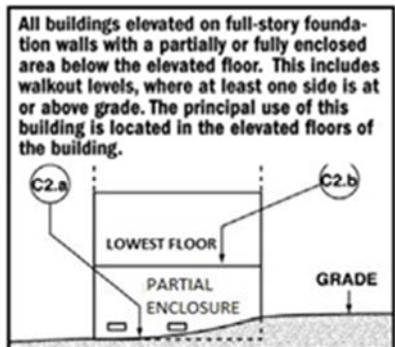
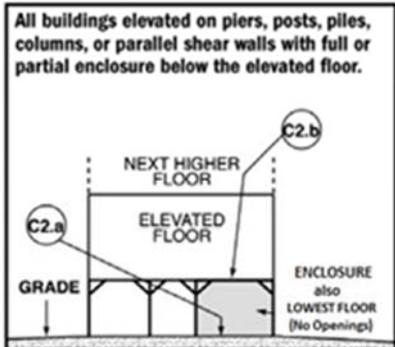
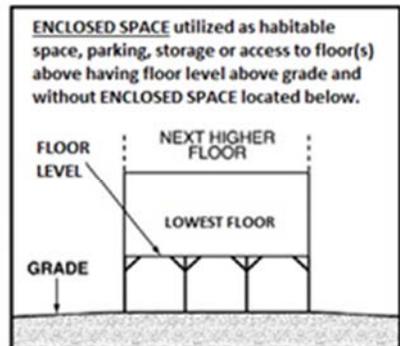
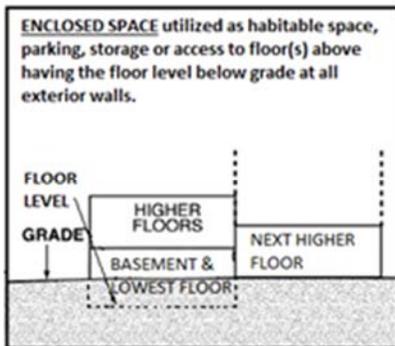
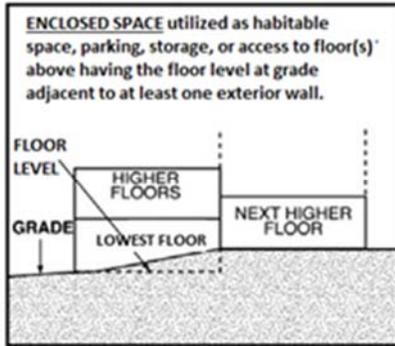
- A. “Open” barbed, or barbless, wire. *-For floodplain management purposes, barbed and / or barbless wire will be considered “open” if there is no more than one horizontal strand per foot of height and no more than one vertical wire, or post, every six (6) feet.*
- B. “Open” pipe, or rail, fencing (e.g. corrals). *-For floodplain management purposes, pipe / rail fencing will be considered “open” if the horizontal pipes / rails occupy less than 10% of the area fenced and, vertical posts are spaced not less than eight (8) feet from each other.*
- C. Break-Away / Collapsible fencing.

- D. Other wire, pipe, or rail type fencing (e.g. field, chicken wire, etc.) which does not meet the “open” requirements described above.
- E. Chain Link fencing.
- F. Continuous fencing or masonry walls. –*For floodplain management purposes, “Continuous fencing” shall be solid panels, and / or components which create a solid panel, which do not meet the criteria of “open” (above.)*

* Individual horizontal wire strands can be placed below the flood height provided they are spaced no closer than six (6) inches apart. Individual vertical wire strands can be placed below the flood height provided that they are spaced not closer than six (6) feet apart. For wire, pipe, or rail fencing that does not meet the “open” requirements, and for wood or masonry walls / fences, the bottom of the wall / fence must be elevated to or above the elevation of the water during the ONE-PERCENT FLOOD event. Wood and masonry fencing / walls do not need to be elevated if they provide enough openings at their bases to allow the free flow of floodwaters without increasing the depth of water at all. Said openings dimensions shall be equivalent to one square inch per one square foot of area enclosed. In the case that an area is not “enclosed” by said fencing / wall, openings shall be required to be one square inch for each square foot of lot area, exclusive of structures.

§8-802. IDENTIFYING FLOOR LEVELS





§8-803. MINOR REHABILITATION

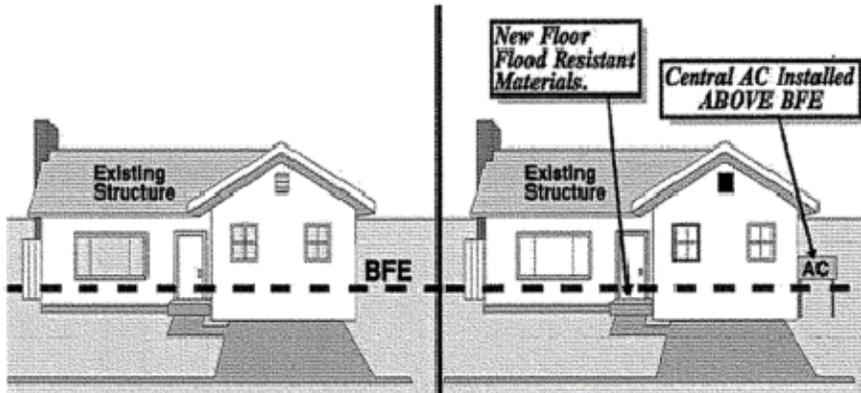


Figure 8-2. Minor rehabilitations use flood-resistant methods and materials

Neither structure would benefit from post-FIRM flood insurance rates because they are not elevated.

\§8-804. RECONSTRUCTION

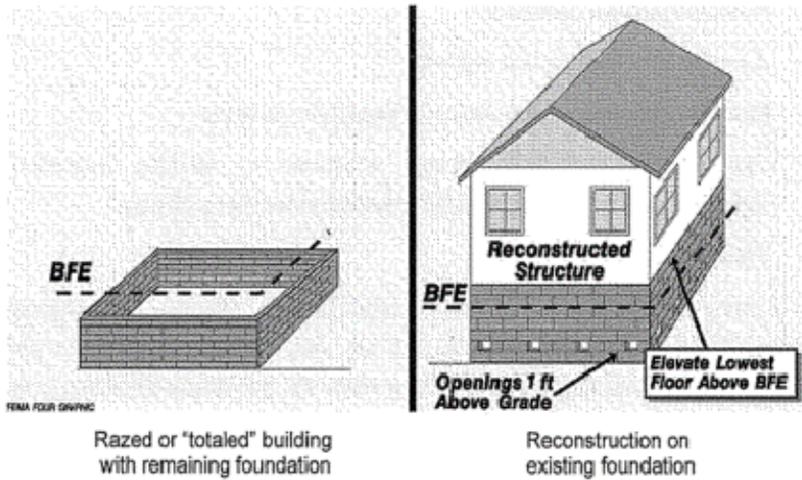


Figure 8-10. A reconstructed house is new construction.

This example is for A Zones only. A new building in the V Zone must be elevated on piles or columns.

POST-FIRM ADDITIONS

§8-805. LATERAL ADDITION

Example 8. Post-FIRM building—substantial improvement

Substantial improvements made to a post-FIRM structure must meet the requirements of the current ordinance. Figure 8-9 shows a lateral addition made after a map revision took place and the BFE was increased.



Figure 8-9. Substantial improvements to post-FIRM buildings must be elevated above the new BFE. Nonresidential buildings may be floodproofed

§8-806. VERTICAL ADDITION

Example 5. Vertical addition—residential

When the proposed substantial improvement is a full or partial second floor, the entire structure must be elevated (Figure 8-6). In this instance, the existing building provides the foundation for the addition. Failure of the existing building would result in failure of the addition, too.

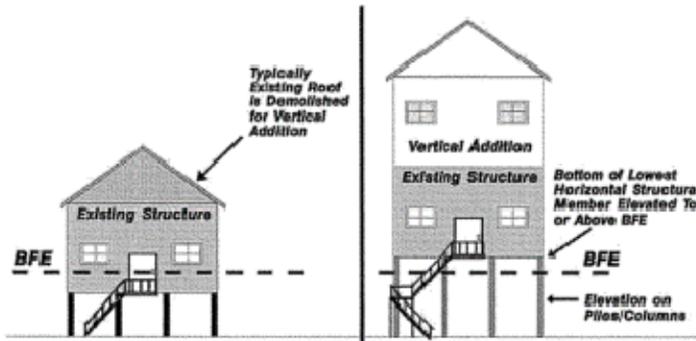


Figure 8-6. Vertical addition to a residential building in a V Zone.

The new structure would benefit from post-FIRM flood insurance rates.