

ORDINANCE NO. 24-1984

AN ORDINANCE OF THE TOWNSHIP OF CENTRE, BERKS COUNTY, PENNSYLVANIA, ENACTING CERTAIN FLOOD PLAIN MANAGEMENT REGULATIONS IN ACCORDANCE WITH AND PURSUANT TO THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS PROMULGATED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT.

WHEREAS, the Township of Centre, Berks County, Pennsylvania, has been notified by the Federal Insurance Administrator of the United States Department of Housing and Urban Development that the selling of flood insurance insuring property located within the Township of Centre, Berks County, Pennsylvania has been authorized under the National Flood Insurance Act; and

WHEREAS, The United States Department of Housing and Urban Development has further furnished the Township of Centre Federal Insurance Administration Floor Hazard Boundary Map designating and identifying thereon Special Flood Hazard Areas Adjacent to the within Township of Centre; and

WHEREAS, it is the desire of the Supervisors of the Township of Centre, Berks County, Pennsylvania, to adopt certain flood plain management regulations in accordance with the requirements of the National Flood Insurance Program Regulations promulgated by the United States Department of Housing and Urban Development;

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Supervisors of the Township of Centre, Berks County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same as follows:

SECTION 1 - The following definitions shall apply to this Ordinance:

(A) Development means any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

(B) Flood or Flooding means a general and temporary condition of partial or complete inundation of normally dry land.

(C) Floodproofing means any combination of structural and non-structural 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.

100 year flood elevation data, which is subject to review by the Borough Engineer.

(G) All new or replacement water supply systems and/or sanitary sewage systems, whether public or private, shall be constructed in accordance with the Plumbing Code of the Township of Centre; provided, however, that such systems shall, for the purposes of this Ordinance, be deemed to include extensions to the existing public water distribution system and public sanitary sewage system; and all such systems shall be designed to minimize or eliminate infiltration of flood waters into said systems and discharges from said systems into flood waters.

(H) On-site sewage disposal systems shall not be located within Special Flood Hazard Areas.

(I) For all mobile home parks located within Special Flood Hazard Areas, an evacuation plan indicating alternate vehicular access and escape routes shall be prepared and filed with the Secretary of the Township of Centre and at the headquarters of the Berks County Civil Defense Council.

(J) All mobile homes placed within Special Flood Hazard Areas shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors. Specifically, (1) over-the-top ties shall be provided at each of the four corners of the mobile home, with two additional ties per side at intermediate locations for mobile homes fifty (50) feet long or longer and one additional tie per side at an intermediate location for a mobile home less than fifty (50) feet long; (2) frame ties shall be provided at each corner of the mobile home, with five additional ties per side at intermediate locations for mobile homes fifty (50) feet long or longer and four additional ties per side at intermediate locations for a mobile home less than fifty (50) feet long; (3) all components of the anchoring system shall be capable of carrying a force of 4,800 pounds; and (4) any additions to a mobile home shall be anchored as listed in this Section.

(K) All mobile homes placed within Special Flood Hazard Areas shall be located on a stand or lot elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at least one (1) foot above the one hundred (100) year flood level. Provisions shall be made for adequate surface drainage and for access for a hauler. In those instances where elevation on pilings is used, lots shall be large enough to permit steps. Piling foundations shall be placed in stable soil no more than ten (10) feet apart, and reinforcement shall be provided for piers more than six (6) feet above ground level.

(L) All new construction and substantial improvements of residential structures within Special Flood Hazard Areas shall have the lowest floor (including basement) elevated at least one (1) foot above the level of the one hundred (100) year flood.

(M) All new construction and substantial improvements of non-residential structures within Special Flood Hazard Areas shall have the lowest floor (including basement) elevated at least one (1) foot above the level of the one hundred (100) year flood or, together with attendant utility and sanitary facilities, be designed and floodproofed so that below the one hundred (100) year flood level the structure is watertight with walls substantially impermeable to the passage of water, and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(N) Where floodproofing is utilized for a structure in accordance with Section (M) above, a registered professional engineer or architect shall certify that the floodproofing methods are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one hundred (100) year flood, and a record of such certificates indicating the specific elevation in relation to mean sea level to which such structure is floodproofed shall be submitted to and maintained by the Secretary of the Township of Centre. Any and all floodproofing regulations which may be adopted from time to time by the Township of Centre shall be complied with when floodproofing is utilized.

(O) If any portion of a watercourse within the Special Flood Hazard Areas is altered or relocated, prior to the commencement of that alteration or relocation the person making such alteration or relocation shall submit calculations and data to the Township of Centre which shall assure that the flood carrying capacity within the altered or relocated portion of the watercourse shall be designed to be not less than the flood carrying capacity of the watercourse prior to the proposed alteration or relocation.

(P) The Township of Centre shall contact adjacent municipalities and the Pennsylvania Department of Community Affairs prior to any alteration or relocation of a watercourse within the Special Flood Hazard Area, and copies of such notification shall be sent to the Federal Insurance Administrator.

(Q) New or substantially improved structures which will be used for the production or storage of any of the following materials or substances, or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume, or any amount of radioactive substances) of any of the following materials or substances on the premises, are prohibited within Special Flood Hazard Areas:

- 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, and the like)
Phosphorus
Potassium
Sodium
Sulphur and sulphur products
Pesticides (including insecticides, fungicides and
rodenticides)
Radioactive substances, insofar as such substances are not
otherwise regulated

No variance shall be granted for any of these uses or activities located in the Special Flood Hazard Areas.

(R) Hospitals, nursing homes, jails, and all new mobile home parks and mobile home subdivisions and substantial improvements to existing mobile home parks and mobile home subdivisions are prohibited within Special Flood Hazard Areas. No variance may be granted for any of these uses or activities to located in Special Flood Hazard Areas.

SECTION 3 - Except as noted in Section 2, the Supervisors of the Township of Centre may grant a variance from the regulations in Section 2 of this Ordinance, subject to the following criteria:

(A) A variance shall, in general, be for new construction or substantial improvement on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the 100 year flood level. The Township may consider variances for lot sizes greater than one-half acre.

(B) Variances shall be issued by the Supervisors of the Township of Centre only upon (1) a demonstration by the applicant of good and sufficient cause, (2) a determination of Supervisors that failure to grant the variance would result in exceptional hardship to the applicant, and (3) a determination of Supervisors that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, the creation of nuisances, or cause fraud on or victimization of the public, or conflict with existing Township ordinances or regulations.

(C) A variance shall only be issued upon the determination of Supervisors that the variance is the minimum necessary, considering the flood hazard, to afford relief.

(D) If a variance is granted, the Supervisors of the Township of Centre shall notify the applicant in writing over the signature of the President of the Supervisors of the Township of Centre that (1) the

issuance of a variance to construct a structure below the 100 year flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (2) that construction below the 100 year flood level increases risk to life and property. This notification shall be maintained with a record of all variance actions.

The Township of Centre shall maintain a record of all variance actions, including justification for their issuance and copies or any notifications as provided for in Subsection D preceding, and shall report such variances issued in the Township of Centre's annual report submitted to the Federal Insurance Administrator.

Variances may be issued by the Supervisors of the Township of Centre for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places or the Pennsylvania Register of Historic Sites and Landmarks without regard to the procedures set forth in this Section.

SECTION 4 - In the event that any provision, section, sentence, clause or part of this Ordinance shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, clause or part of this Ordinance, it being the intention of the Township of Centre that such remainder of the Ordinance shall be and shall remain in full force and effect.

SECTION 5 - All ordinances or parts of ordinances or other regulations of the Township of Centre inconsistent with the within controls relating to Special Flood Hazard Areas shall be and the same are hereby repealed.

SECTION 6 - This Ordinance shall become effective ten (10) days after its enactment.

ENACTED AND ORDAINED as an Ordinance this 14th day of November,
_____, 1984.

TOWNSHIP OF CENTRE

By: Wilmer H. Phillips
Chairman

By: Howard W. Miller
Supervisor

By: Albert W. Burke
Supervisor

Attest: George C. Seifert
Secretary of the Township of Centre