

BUILDING PERMIT ORDINANCE

ORDINANCE NO. 1-1975 Series

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, ALTERATION, OR RELOCATION OF ANY BUILDING OR STRUCTURE: PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; AND PROVIDING FOR PENALTIES FOR ANY PERSONS WHO FAIL OR REFUSE TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

BE IT ENACTED and ORDAINED by the Borough Council of Cochranon Borough, Crawford County, Pa., and

it is hereby enacted and ordained by the authority of the same as follows:

ARTICLE I - GENERAL PROVISIONS

Section 1.00 - Statement of Intent

The intent of this Ordinance to:

- A. promote the general health, welfare, and safety of the community;
- B. encourage the utilization of appropriate construction practices to minimize flood damage in the future;
- C. to minimize danger to public health by protecting water supply and natural drainage.

Section 1.01 - Applicability

- A. It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken, the construction, reconstruction, enlargement, alteration, or relocation of any building or structure unless an approved building permit has been obtained from the Borough Building Permit Officer.
- B. A building permit shall not be required for:
 - 1. improvements not exceeding a total cost of \$1,000.00; or
 - 2. Improvements not exceeding a total area of 100 square feet.

Section 1.02 - Abrogation and Greater Restrictions

This Ordinance supersedes any provisions currently in effect in flood-prone areas. However, any underlying ordinance shall remain in full force and effect to the extent that those provisions are more restrictive.

Section 1.03 - Severability

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

Section 1.04 - Municipal Liability

The grant of a permit or approval of a subdivision plan in the identified flood-prone area(s) shall not constitute a representation, guarantee, or warranty of any kind by the Borough or by any official or employee thereof of the practicability or safety of the proposed use, and shall create no liability upon the Borough, its officials or employees.

ARTICLE II - ADMINISTRATION

Section 2.00 - Issuance of Permit

The Building Permit Officer shall issue a building permit only after it has been determined that the proposed construction will be in conformance with all applicable requirements and regulations.

Section 2.01 - Application Procedures

Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the Borough. Such application shall contain at least the following:

- 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.
- E. Brief description of proposed work and estimated cost.
- F. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- G. Estimated Cost.
- H. Estimated Time of Completion.

Section 2.02 - Changes

After the issuance of a building permit by the Building Permit Officer, 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 Building Permit Officer.

Section 2.03 - Placards

In addition to the building permit, the Building Permit Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Permit Officer.

Section 2.04 - Start of Construction

Work on the proposed construction shall begin within six (6) months after the date of issuance of the building permit or the permit shall expire unless a time extension is granted, in writing, by the Building Permit Officer. Construction shall be considered to have started with first placement of permanent construction of the site, such as the pouring of slabs or footings or any work beyond the stage of excavation. For a structure without a basement or poured footings, the start of construction includes the first permanent framing or assembly of the structure or any part thereof on its pilings or foundation, or the affixing of any prefabricated structure or mobile home to its permanent site. Permanent construction does not include land preparation, land clearing, grading, filling, excavation for basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electric or other service lines from the street.

Section 2.05 - Inspection and Revocation

During the construction period, the Building Permit Officer or other authorized official may inspect the premises to determine that the work is progressing in compliance with the information provided on the permit application and with all applicable Borough laws and ordinances. In the event the Building Permit Officer 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 Building Permit Officer shall revoke the building permit and report such fact to the Borough Council - for whatever action it considers necessary.

Section 2.06 - Fees

Applications for a building permit shall be accompanied by a ^{15.00} ~~\$1.00~~ fee, payable to the Borough.

Section 2.07 - Appeals

Any person aggrieved by the Building Permit Officer's estimate of the cost of the proposed construction may appeal to the Borough Council. Such appeal must be filed, in writing, within thirty (30) days after the determination by the Building Permit Officer. Upon receipt of such appeal, the Borough Council shall set a time and place not less than ten (10) nor more than thirty (30) days for the purpose of hearing the appeal. Notice of the time and place of the hearing of the appeal shall be given to all parties at which time they may appear and be heard. The determination of the estimates cost by the Borough Council shall be final in all cases.

Section 2.08 - Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order or direction of the Building Permit Officer or any other authorized employee of the Borough shall be guilty of an offense and, upon conviction, shall pay a fine to Cochranon Borough of not less than Twenty-five Dollars (\$25.00) nor more than One Hundred Dollars (\$100.00) plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed ten (10) days. Each day during which any violation of this Ordinance continues shall constitute a separate offense. 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 non-compliance with, this Ordinance

shall not excuse the violation or non-compliance or permit it to continue; and all such persons shall be required to correct or remedy such violations and non-compliances within a reasonable time. Any structure or building constructed, reconstructed, enlarged, altered, or relocated, in non-compliance with this Ordinance may be declared by the Borough Council to be a public nuisance and abatable as such.

ARTICLE III - DEFINITIONS

Section 3.00 - General

Unless specifically defined below, words and phrases used in this Ordinance shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Ordinance its most reasonable application.

Section 3.01 - Specific Definitions

- A. Accessory Use or Structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- B. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.
- C. Minor Repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep; but not including any addition, change or modification in construction, exit facilities, or permanent fixtures or equipment.
- D. Person - any person, persons, partnership, business or corporation.
- E. Structure - anything constructed or erected on the ground or attached to the ground, including but not limited to, buildings, factories, sheds, cabins, mobile homes, and other similar items.

IV

ARTICLE ~~III~~ - EFFECTIVE DATE

This Ordinance shall become effective on July 7, 1975 and shall remain in force until modified, amended, or rescinded by the Borough of Cochranton, Crawford County, Pennsylvania.

Adopted by Borough Council - this 7th of July, 1975

Signed:

Christy Person, Pres.
W. Turner Mayor

Attest:

Mary Carol Meyer,
Secretary

ORDINANCE NO. 4

AN ORDINANCE AMENDING BOROUGH ORDINANCE NUMBER, 4, OF 1986, AS AMENDED.

BE IT ORDAINED by the Borough Council of Cochranon Borough, Crawford County Pennsylvania, and it is hereby ordained and enacted as follows:

Section 3.00 is hereby amended with August 27, 1976 being deleted and the date June 4, 1990 being inserted in its place.

The second paragraph of Section 4.00 D is hereby deleted, since Section 4.00 G has replaced and superceded said second paragraph.

Throughout the Ordinance, as amended, the term mobile home is hereby deleted and is hereby replaced with the term manufactured home.

This Ordinance is effective immediately.

THIS AMENDMENT ORDAINED AND ENACTED INTO LAW THIS 4th DAY OF JUNE, 1990.

ATTEST:

Frances M^cClain 6-4-90
Borough Secretary

BY: Kathleen A. Bauer 6/4/90
Council President

Examined and Approved Harry L. Wood 6/4/90 Mayor

Date: June 4th, 1990

copy sent to
Robert Krick
JEMA 6-8-90
jrm

AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, ALTERATION, OR RELOCATION OF ANY BUILDING OR STRUCTURE OR ANY DEVELOPMENT; PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE BOROUGH WHICH ARE SUBJECT TO FLOODING AND PROVIDING FOR PENALTIES FOR ANY PERSONS WHO FAIL OR REFUSE TO COMPLY WITH THE REQUIREMENTS OR PROVISIONS OF THIS ORDINANCE.

BE IT ORDAINED by the Borough Council of Cochranon Borough, Crawford County, Pennsylvania, and it is hereby ordained and enacted as follows:

ARTICLE I - GENERAL PROVISIONS

Section 1.00 - Statement of Intent

The intent of this Ordinance is to:

- A. promote the general health, welfare, and safety of Cochranon Borough, hereinafter referred to as "Borough";
- B. encourage the utilization of appropriate construction practices in order to prevent or to minimize flood damage in the future;
- C. minimize danger to public health by protecting water supply and natural drainage;
- D. reduce financial burdens imposed on the community, its governmental units, and its residents by preventing excessive development in areas subject to flooding.

Section 1.01 - Applicability

- A. It shall be unlawful for any person, partnership, business, or corporation to undertake or cause to be undertaken, the construction, reconstruction, enlargement, alteration, location or relocation of any building or structure or to undertaken development anywhere within the Borough unless an approved building permit has been obtained from the Borough Building Permit Officer.
- B. A building permit shall not be required for minor repairs to existing buildings or structures, provided that no structural changes or modifications are involved and providing the cost of such minor repairs is less than \$1,000 and/or involves less than 100 square feet of floor area.

Section 1.02 - Abrogation and Greater Restrictions

This Ordinance supersedes any conflicting provisions currently in effect in identified floodplain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive.

Section 1.03 - Severability

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

Section 1.04 - Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Ordinance 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 restricted by debris. This Ordinance does not imply that areas outside any identified floodplain area, or that land uses permitted within such areas will be free from flooding or flood damages.

This Ordinance shall not create liability on the part of the Borough or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

ARTICLE II - ADMINISTRATION

Section 2.00 - Building Permit Officer

The Borough Council shall appoint a Building Permit Officer whose duty shall be to administer the provisions of this Ordinance.

Section 2.01 - Issurance of Building Permit

- A. The Building Permit Officer shall issue a building permit only after it has been determined that the proposed work to be undertaken will be in conformance with all applicable ordinances, requirements and regulations.
- B. Prior to the issuance of any building permit the Building Permit Officer shall review the application for 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 Dam Safety and Encroachments Act (Act 1978-325); the Pennsylvania Clean Streams Act (Act 1937-394); the U. S. Clean Water Act, Section 404, 33, U.S.C. 1334. No permit shall be issued until this determination has been made.
- C. 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 Borough, and until all required permits or approvals have been first obtained from the Bureau of Dams and Waterway Management, PennDER.

In addition, the Federal Insurance Administrator and the Bureau of Community Planning, Pennsylvania DCA shall be notified by the Borough prior to any alteration or relocation of any watercourse.

Section 2.02 - Application Procedures

- A. Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the Borough. Such application shall contain at least the following:

1. Name and address of applicant
 2. Name and address of owner of land on which proposed construction is to occur.
 3. Name and address of contractor.
 4. Site location.
 5. Listing of other permits required.
 6. Brief description of proposed work and estimated cost.
 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing building or structures.
 8. Estimated time of completion.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for building permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Permit Officer to determine that:
- (a) all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - (b) all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and
 - (c) adequate drainage is provided so as to reduce exposure to flood hazards.

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

1. A completed Building Permit Application Form.
2. A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to one-hundred feet or less, showing the following:
 - a. north arrow, scale, and date;
 - b. topographic contour lines, if available;
 - c. all property and lot lines including dimensioned, and the size of the site expressed in acres or square feet;
 - d. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and land development;
 - e. the location of all existing streets, drives, and other accessways; and
 - f. the location of any existing bodies of water or watercourses,

identified floodplain areas, if available, information pertaining to the floodway, and the flow of water including direction and velocities.

3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - a. the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - b. the elevation of the one-hundred year flood;
 - c. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with one-hundred year flood; and
 - d. detailed information concerning any proposed floodproofing measures.
4. The following data and documentation:
 - a. detailed information needed to determine compliance with Section 4.01 F., Storage, and Section 4.02, Development Which May Endanger Human Life, including:
 - i) the amount, location and purpose of any materials or substances referred to in Sections 4.01 F., and 4.02 which are intended to be used, produced, stored or otherwise maintained on site.
 - ii) a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 4.02 during a one-hundred year flood.
 - b. the appropriate component of the Department of Environmental Resources' "Planning Module for Land Development."
 - c. where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Resources, to implement and maintain erosion and sedimentation control.

Section 2.03 - Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval shall be submitted by the Building Permit Officer to the Crawford Conservation District for review and comment prior to the issuance of a building permit. The recommendations of the Conservation District shall be considered by the Building Permit Officer for possible incorporation into the proposed plan.

Section 2.04 - Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Building Permit Officer to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

Section 2.05 - Changes

After the issuance of a building permit by the Building Permit Officer, 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 Building Permit Officer. Requests for any such change shall be in writing, and shall be submitted by the applicant to the Building Permit Officer for consideration.

Section 2.06 - Placards

In addition to the building permit, the Building Permit Officer shall issue a placard which shall be displayed on the premises during the time construction is in progress. This placard shall show the number of the building permit, the date of its issuance and be signed by the Building Permit Officer.

Section 2.07 - Start of Construction

Work on the proposed construction and/or development shall begin within six months after the date of issuance of the building permit or the permit shall expire, unless a time extension is granted in writing by the Building Permit Officer. Construction and/or development shall be considered to have started with the preparation of land, land clearing, grading, filling, excavation for basement, footings, piers, or foundations, erection of temporary forms, the installation of piling under proposed subsurface footings, or the installation of sewer, gas and water pipes, or electrical or other service lines from the street.

Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Building Permit Officer to approve such a request.

Section 2.08 - Inspection and Renovation

- A. During the construction period, the Building Permit Officer 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 Borough laws and ordinances. He shall make as many inspections during and upon completion of the work as are necessary.
- B. In the discharge of his duties, the Building Permit Officer shall have the authority to enter any building, structure, premises or development in the identified flood-prone area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Ordinance.
- C. In the event the Building Permit Officer 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 Building Permit Officer shall revoke the building permit and report such fact to the Borough Council for whatever action is considered necessary.
- D. A record of all such inspections and violations of this ordinance shall be maintained.

Section 2.09 - Expiration of Building Permit

The work described in any Building Permit shall be substantially completed within 2 years of the date of issuance or the permit shall expire. An extension of the completion of construction time may be granted by the Building Permit Officer in the event the applicant can provide valid reasons for such time extension. The extension shall be granted, in

writing. Failure to meet these requirements shall cause said permit to be revoked by the Building Permit Officer, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the cancelled permit shall not proceed.

Section 2.10 - Fees

Applications for a building permit shall be accompanied by a \$1.00 fee, payable to the Borough. The Borough Council may from time to time increase the aforementioned fee as they may find necessary.

Section 2.11 - Enforcement

A. Notices

Whenever the Building Permit Officer or other authorized municipal representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Ordinance, or of any regulation adopted pursuant thereto, the Building Permit Officer shall give notice of such alleged violation as hereinafter provided. Such notice shall (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 thirty days for the performance of any act it requires; (d) be served upon the property owner or his 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; (e) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Ordinance.

B. Penalties

Any person who fails to comply with any or all of the requirements or provisions of this Ordinance or who fails or refuses to comply with any notice, order or direction of the Building Permit Officer or any other authorized employee of the municipality shall be guilty of an offense and, upon conviction, shall pay a fine to the Borough of not less than \$25.00 nor more than \$100.00 plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed ten days. Each day during which any violation of this Ordinance continues shall constitute a separate offense. 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 and all such persons shall be required to correct or remedy such violations and noncompliances 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 Borough Council to be a public nuisance and abatable as such.

Section 2.11 - Appeals

- A. Any person aggrieved by an action or decision of the Building Permit Officer concerning the administration of the provisions of this Ordinance, may appeal to the Borough Council. Such appeal must be filed, in writing, within thirty days after the decision or action of the Building Permit Officer.

- B. Upon receipt of such appeal the Borough Council shall set a time and place, within not less than ten nore more than thirty 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.
- C. Any person aggrieved by any decision of the Borough Council may seek relief therefrom by appeal to court, as provided by the laws of this Commonwealth including The Pennsylvania Flood Plain Management Act.

ARTICLE III - IDENTIFICATION OF FLOODPLAIN AREAS

Section 3.00 - Identification

The identified floodplain area shall be any area of the Borough of Cochrannton subject to the one-hundred year flood, which is identified as a Special Flood Hazard Area (Zone A) on the Flood Hazard Boundary Map as issued by the Federal Insurance Administration dated August 27, 1976 or until revised or amended by the Federal Emergency Management Agency.

Section 3.01 - Determination of the One-Hundred Year Flood Elevation

For the purposes of this Ordinance, the one-hundred year flood elevation shall be used as the basis for regulation. To determine the one-hundred year flood elevation, the elevation at a given point on the boundary of the identified floodplain area which is nearest the construction site in question will be used. In helping to make this necessary elevation determination other sources of data, where available, shall be used such as:

- A. Corps of Engineers - Flood Plain Information Reports
- B. U. S. Geological Survey - Flood Prone Quadrangles
- C. U.S.D.A., Soil Conservation Service - County Soil Surveys (Alluvial Soils) or P.L. 566 Flood Information
- D. Pennsylvania Department of Environmental Resources - Flood Control Investigations
- E. Known Highwater Marks from Past Floods
- F. Other sources

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 Borough.

Section 3.02 - Changes in Identification of Area

The identified floodplain area may be revised or modified by the Borough 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).

Section 3.03 - Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, in initial determination shall be made by the Building Permit Officer and any party aggrieved by this decision may appeal to the Borough Council. The burden of proof shall be on the appellant.

ARTICLE IV - GENERAL TECHNICAL REQUIREMENTS

Section 4.00 - General

- A. In the identified floodplain area, the development and/or use of any land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in force in the municipality.
- B. Within any identified floodplain area, no new construction or development shall be located within the area measured fifty feet landward from the top-of-bank of any watercourse.
- C. Within any identified floodplain area, the elevation of the lowest floor (including basement) of any new or substantially improved residential structure shall be $1\frac{1}{2}$ feet or more above the one-hundred year flood elevation.
- D. Within any identified floodplain area, the elevation of the lowest floor (including basement) of any new or substantially improved non-residential structure shall be $1\frac{1}{2}$ feet or more above the one-hundred year flood elevation or be floodproofed up to that height.

Any structure, or part thereof, which will not be completely or adequately elevated, shall be floodproofed in accordance with the provisions of this article. Additional information may be obtained from the publication entitled "Flood-Proofing Regulations" (U. S. Army Corps of Engineers, June 1972).

Section 4.01 - Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

A. Fill

If fill is used, it shall:

1. extend laterally at least 15 feet beyond the building line from all points;
2. consist of soil or small rock materials only - Sanitary Landfills shall not be permitted;
3. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;
4. be no steeper than one vertical to two horizontal, unless substantiated data, justifying steeper slopes are submitted to, and approved by the Building Permit Officer; and,
5. be used to the extent to which it does not adversely affect adjacent properties.

B. Drainage Facilities

Storm drainage facilities shall be designed to convey the flow of storm water 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.

C. Water and Sanitary Sewer Facilities and Systems

1. 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 flood waters.

2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
3. No part of any on-site sewage 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. 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.

E. Streets

The finished elevation of all new streets shall be no more than one foot below the Regulatory Flood Elevation.

F. 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 Section 4.02 Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood-proofed to the maximum extent possible.

G. 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 flood water.

H. Anchoring

1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.

I. Floors, Walls and Ceilings

1. 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.
2. Plywood used at or below the Regulatory Flood Elevation shall be of a "marine" or "water-resistant" variety.
3. 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.
4. Windows, doors, and other components at or below the Regulatory Flood Elevation shall be made of metal or other water-resistant material.

J. Paints and Adhesives

1. Paints or other finishes used at or below the Regulatory Flood Elevation shall be of "marine" or water-resistant quality.
2. Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or water-resistant variety.
3. All wooden components (doors, trim cabinets, etc.) shall be finished with a "marine" or water-resistant paint or other finishing material.

K. Electrical Components

1. Electrical distribution panels shall be at least three feet above the one-hundred year flood elevation
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

L. Equipment

1. Water heaters, furnaces, air conditioning and ventilating units, and other mechanical or utility equipment or apparatus shall not be located below the Regulatory Flood Elevation.

M. Fuel Supply Systems

1. All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

Section 4.02 - Development Which May Endanger Human Life

- A. In accordance with the Pennsylvania Flood Plain Management Act, and the regulations adopted by the Department of Community Affairs as required by the Act, any new or substantially improved structure which will be used for the production or storage of any of the following dangerous 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 dangerous materials or substances on the premises, shall be subject to the provisions of this section, in addition to all other applicable provisions:

1. Acetone
2. Ammonia
3. Benzene
4. Calcium carbide
5. Carbon disulfide
6. Celluloid
7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides of nitrogen
12. Petroleum products (gasoline, fuel oil, etc.)
13. Phosphorus
14. Potassium
15. Sodium
16. Sulphur and sulphur products

17. Pesticides (including insecticides, fungicides, and rodenticides)
18. Radioactive substances, insofar as such substances are not otherwise regulated.

B. Where permitted within any identified floodplain area, any new or substantially improved structure of the kind described in Subsection A., above, shall be:

1. elevated or designed and constructed to remain completely dry up to at least one and one-half feet above the one-hundred year flood and,
2. designed to prevent pollution from the structure or activity during the course of a one-hundred year 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 flood-proofing contained in the publication "Flood-Proofing Regulations (U.S. Army Corps of Engineers, June 1972), or with some other equivalent watertight standard.

Section 4.03 - Special Requirements for Mobile Homes

A. Where permitted within any identified floodplain area, all mobile homes and additions thereto shall be:

1. anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards as specified in the Standard for the Installation of Mobile Homes Including Mobile Home Park Requirements (NRPA No. 501A-1974 (ANSI A119.3-1975)) as amended for Mobile Homes in Hurricane Zones or other appropriate standards such as the following:
 - a. 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 units 50 feet or more in length, and one additional tie per side for units less than 50 feet in length.
 - b. frame ties shall be provided at each corner of the mobile home, with five additional ties per side at intermediate locations for units 50 feet or more in length, and four additional ties per side for units less than 50 feet in length.
 - c. all components of the anchoring system shall be capable of carrying a force of 4800 pounds.
2. elevated in accordance with the following requirements:
 - a. the stands or lots shall be elevated on compacted fill, or on pilings so that the lowest floor of the mobile home will be 1½ feet or more above the elevation of the one-hundred year flood.
 - b. adequate surface drainage is provided.
 - c. adequate access for a hauler is provided.

- d. where pilings are used for elevation, the lots shall be large enough to permit steps; piling foundations shall be placed in stable soil no more than 10 feet apart; reinforcement shall be provided for pilings that will extend for 6 feet or more above the ground level.
- B. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the appropriate Borough officials for mobile home parks.

ARTICLE V - PROHIBITED ACTIVITIES

Section 5.00 - Prohibited Activities

Through analyses of flooding experiences throughout Pennsylvania it has been determined that certain activities and developments present a special hazard to the health and safety of the general public, or may result in significant pollution, increased flood levels or flows, or debris endangering life and property. Accordingly the following list of activities and development shall be prohibited from locating within the identified floodplain area, and where these activities and developments exist as of the date of adoption of this ordinance they are prohibited from expanding on land located within the identified floodplain area:

- A. hospitals (public or private)
- B. nursing homes (public or private)
- C. jails or prisons
- D. new mobile home parks and mobile home subdivisions, and substantial improvements to existing mobile home parks.

ARTICLE VI - EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

Section 6.00 - General

Structures existing in any identified floodplain area prior to the enactment of this Ordinance may continue to remain, provided that:

- A. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of 50 percent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.
- B. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than 50 percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.

ARTICLE VII - VARIANCE

Section 7.00 - General

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the Borough may, upon request, grant relief from the strict application of the requirements.

Section 7.01 - Variance Procedures and Conditions

Requests for variances shall be considered by the Borough in accordance with the procedures contained in Section 2.11 and the following:

1. No variance shall be granted for any activity prohibited under Article V; and, except for possible modification of the freeboard requirements involved, no variance shall be granted for any other requirements pertaining specifically to Development Which May Endanger Human Life (Sec. 4.02).
2. If granted, a variance shall involve only the least modification necessary to provide relief.
3. In granting any variance, the Borough 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 Ordinance.
4. Whenever a variance is granted, the Borough shall notify the applicant in writing that:
 - a. the granting of the variance may result in increased premium rates for flood insurance.
 - b. such variances may increase the risks to life and property.
5. In reviewing any request for a variance, the Borough shall consider, at a minimum, the following:
 - a. that there is good and sufficient cause.
 - b. that failure to grant the variance would result in exceptional hardship to the applicant.
 - c. that the granting of the variance will (1) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (2) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
6. A complete record of all variance requests and related actions shall be maintained by the Borough. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-hundred year flood.

ARTICLE VIII - DEFINITIONS

Section 8.00 - General

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

Section 8.01 - Specific Definitions

- A. Accessory use or structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
- B. Building - a combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers to be used for human habitation.
- C. Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.
- D. Development - any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets, and other paving, utilities, filling, grading, excavation, mining, dredging, or drilling operations and the subdivision of land.
- E. Flood - a temporary inundation of normally dry land areas.
- F. Floodplain area - a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.
- G. Flood-proofing - means any combination of structural and 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.
- H. Minor repair - the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.
- I. Mobile home - means a transportable, single family dwelling intended for permanent occupancy, office, or place of assembly, contained in one or more sections, built on a permanent chassis, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation. The term does not include recreational vehicles or travel trailers.
- J. Mobile home park - a parcel of land under single ownership which has been planned and improved for the placement of two or more mobile homes for nontransient use.

- K. Obstruction - any wall, dam, wharf, embankment, levee, dike, pile abutment, projection, excavation, channel, rectification, culvert, building, fence, stockpile, refuse, fill, structure, or matter in, along, across, or projecting into any channel, watercourse, or floodprone area, which may impede, retard, or change the direction of the flow of water either in itself or by catching or collecting debris carried by such water or is placed where the flow of the water might carry the same downstream to the damage of life and property.
- L. One-hundred year flood - a flood that, on the average, is likely to occur once every one-hundred years (i.e. that has one percent chance of occurring each year, although the flood may occur in any year.
- M. Person - any person, persons, partnership, business or corporation.
- N. Regulatory flood elevation - the one-hundred year flood elevation plus a freeboard safety factor of $1\frac{1}{2}$ feet.
- O. Special permit - a special approval which is required for hospitals, nursing homes, jails, and new mobile home parks and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
- P. Structure - anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, mobile homes, and other similar items.
- Q. Subdivision - the division or redivision of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels or other divisions of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, transfer of ownership or building or lot development. The division of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access, shall be exempted.

ARTICLE IX - EFFECTIVE DATE; REPEAL OF CONFLICTING ORDINANCES

This Ordinance shall take effect five days after its enactment by the Borough Council and shall remain in force until modified, amended or rescinded. Ordinance No. 1-1975 Series adopted July 7, 1975 and as amended is hereby repealed at the effective date of the enactment of this Ordinance, and all other ordinances as parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect.

Passed and enacted this 3rd day of November, 1986

Harry Wood

BOROUGH COUNCIL

President

Attest:

Frances M^cClain
Borough Secretary

1994
See memo.
done
old #
2 1995

AMENDMENTS TO ORDINANCE NO. 4, AN ORDINANCE REQUIRING THE OBTAINING OF A BUILDING PERMIT FOR THE CONSTRUCTION, RECONSTRUCTION, ENLARGEMENT, ALTERATION OR RELOCATION OF ANY BUILDING OR STRUCTURE OR ANY DEVELOPMENT.

The following sections shall be added:

Article III

Section 3.00a - Use of available flood data

The local administrator shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source as criteria for requiring within Zone A the following:

1. New construction and substantial improvements of any residential structure shall have the lowest floor, including basement, elevated to or above the base flood elevation.

2. New construction and substantial improvement of any nonresidential structure shall either have the lowest floor, including basement, elevated to or above the base flood elevation; or,

together with attendant utility and sanitary facilities, shall:

i. be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water;

ii. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and

iii. be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the provisions of this paragraph.

Article IV

Section 4.01N - Mechanical and Utility Equipment

1. Electrical, heating, ventilation, plumbing, and air-conditioning

Copy sent to
Robert Link
F.E.M.A. 6/8/90
Jmc

ORDINANCE NO. 2 - 1990

AN ORDINANCE AMENDING BOROUGH ORDINANCE NUMBER 4 OF 1986 TO BRING THE EXISTING ORDINANCE INTO COMPLIANCE WITH THE NATIONAL FLOOD INSURANCE PROGRAM AND THE PENNSYLVANIA FLOOD PLAIN MANAGEMENT ACT.

BE IT ORDAINED by the Borough Council of Cochranon Borough, Crawford County Pennsylvania, and it is hereby ordained and enacted as follows:

The following provision shall be added to ARTICLE I, Section 1.00:

E. Comply with Federal and state floodplain management requirements.

The following provision shall be added to ARTICLE I, Section 1.02:

If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

The following provision shall be added to ARTICLE 2, Section 2.02, B:

- a. documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE Area/District, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one foot at any point.
- b. 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 hundred (100) year flood.

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

The Borough's existing Ordinance No. 4 of 1986 shall be renumbered so that existing paragraph a shall become c; paragraph b shall become d; and paragraph c shall become e of this section.

Existing Section c refers to Section 4.01(f) and that is changed to 4.02(f). Section 4.02 shall become Section 4.03. Paragraph c shall delete the references to Section numbers and 4.c.ii reference to 4.02 shall be changed to Section 4.03.

Section 2.07 shall be amended to include language that construction shall be completed within 12 months after the date of issuance of the building permit.

Article III, Section 3.00 shall be amended to refer to a Flood Insurance Rate Map (FIRM) which accompanies the Flood Insurance Study (FIS).

Existing Section 3.01 shall be deleted and the following shall take its place:

Section 3.01 Description of Floodplain Areas/Districts

The identified floodplain area shall consist of the following two specific areas/districts:

- A. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which one hundred (100) year flood elevations have been provided in the FIS.
- B. 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 one hundred (100) year flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State or other acceptable source shall be used when available. Where other acceptable information is not available, the 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 to sufficient detail to allow a thorough technical review by the municipality.

ARTICLE IV, Section 4.00 shall be amended by adding the following:

- E. Within any floodway area, no new construction or development shall be permitted that would cause any increase in the one hundred (100) year flood elevation.
- F. Within any AE Area/District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.
- G. Any non-residential structure, or part thereof, having a lowest floor (including basement) which is not elevated to at least one and one half (1½) feet above the one hundred (100) year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained

in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such flood-proofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in accordance with the above referenced standards.

- H. Enclosed areas below the lowest floor (including basement) are prohibited.

A new Section 4.01 shall be added to the existing Ordinance, as follows:

Section 4.01 Special Requirement for the AE Area/District

Within any AE Area/District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.

The other Sections under ARTICLE IV of the existing Ordinance shall be renumbered, with existing Section 4.01 becoming 4.02; existing Section 4.02 becoming Section 4.03; existing Section 4.03 shall become Section 4.04

Section 4.03 shall have the following language added at the end of paragraph A:

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

This sentence shall precede and shall refer to a list of 18 enumerated items.

Section 4.04 shall have the title changed from Special Requirements for Mobile Homes to Special Requirements for Manufactured Homes. Section 4.04 A 1a, b and c, and 2a, b, c, and d and Section 4.04 B are hereby repealed and the following is adopted in it's place.

- A. Where permitted within any identified floodplain area, all manufactured homes and additions thereto shall be:
1. placed on a permanent foundation.
 2. Elevated so that the lowest floor of the manufactured home is one and one half ($1\frac{1}{2}$) feet or more above the elevation of the one hundred year flood.
 3. anchored to resist flotation, collapse or lateral movement.

ARTICLE VI, Section 6.00 shall have two new sections added as follows:

- C. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one hundred (100) year flood.
- D. No expansion or enlargement of an existing structure shall be allowed within any AE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.

ARTICLE VII, Section 7.01 shall be amended and the following shall be added to 7.01 1.

No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation. No variance shall be granted for any construction, development, use, or activity within any AE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.

ARTICLE VIII, the Definitions shall be amended with the following new definition being added

Floodway - the designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purpose of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

The Definition for Mobile Home shall now read "Manufactured Home" and the last sentence of the existing Ordinance shall be deleted and the following adopted in it's place:

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

A new Definition for "Substantial Improvement" is hereby adopted as follows:

Substantial Improvement - any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure either, (a) before the improvement or repair is started, or (b) if the structure has been damaged, and is being restored, before the damage occurred.

This ordinance enacted the 5th day of February, 1990.

Kathleen Bauer
Kathleen Bauer, Council President

Attest:

Frances McClain
Borough Secretary

Harry L. Wood, Mayor

Examined and approved this 5th day
of February, 1990.

Garry L. Wood

AN ORDINANCE AMENDING ORDINANCE NUMBER FOUR OF 1986, AS AMENDED, AND AMENDING ORDINANCE NUMBER TWO OF 1990 OF THE BOROUGH OF COCHRANTON, CRAWFORD COUNTY, PENNSYLVANIA, SAID ORDINANCE TO BRING THE EXISTING BOROUGH ORDINANCES INTO COMPLIANCE WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AND THE PENNSYLVANIA FLOOD PLAINTIFF MANAGEMENT ACT.

Then be it ordained by the Borough Council of Cochranon Borough, Crawford County, Pennsylvania, and it is hereby ordained and enacted as follows:

Article 3, Section 3.00 shall be amended to read as follows:

The identified floodplain area shall be any area of the Borough of Cochranon subject to the one-hundred year flood, which is identified as a Special Flood Hazard Area (Zone A) on the FIRM Map of June 4, 1990, or such revised or amended map that may be adopted.

The following provisions shall be added to Article 4, Section 4.00

G. Shall be amended so that the publication date shall add to June, 1972 the wording "as amended March 1992)".

I. Within any 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 by such structure shall remain either completely or essentially dry during any flood up to that height.

Article 4, Section 4.03 shall have added thereto section C:

C. Where permitted within any identified floodplain area, all manufactured homes, and any improvements thereto, shall be placed on a permanent foundation.

Article 8, Section 8.01 shall have the following definitions added, or amended to read as set forth below:

Basement - means any area of the building having its floor below ground level on all sides.

Completely dry space - a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

Development - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

Essentially dry space - a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

Historic Structure - any structure that is:

i. 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;

ii. 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 to qualify as a registered historic district;

iii. 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

iv. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior
- or
2. Directly by the Secretary of the Interior in states without approved programs.

Identified floodplain area - the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood.

Land development - any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

i. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

ii. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision of land.

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.

Recreational vehicle - a vehicle which is (i) built on a single chassis; (ii) not more than 400 square feet, measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable by a light-duty truck; (iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

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 before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however include either:

1. 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, or;
2. Any alteration of a "historic structure." provided that the alteration will not preclude the structure's continued designation as a "historic structure".

In any section of the existing Borough ordinances, as amended, any reference to the term "Department of Environmental Resources" shall be amended to refer to the Department of Environmental Protection.


This ordinance passed and enacted this

5th


day of

MARCH

, 2001.


Council President

Attest:


Richard E. Lawhead, Mayor

Attest:


Frances A. McClain, Borough Secretary

AN ORDINANCE AMENDING ORDINANCE NUMBER FOUR OF 1986, AS AMENDED, AND AMENDING ORDINANCE NUMBER TWO OF 1990 OF THE BOROUGH OF COCHRANTON, CRAWFORD COUNTY, PENNSYLVANIA, SAID ORDINANCE TO BRING THE EXISTING BOROUGH ORDINANCES INTO COMPLIANCE WITH THE REQUIREMENTS OF THE NATIONAL FLOOD INSURANCE PROGRAM AND THE PENNSYLVANIA FLOOD PLAINTIFF MANAGEMENT ACT.

Then be it ordained by the Borough Council of Cochranon Borough, Crawford County, Pennsylvania, and it is hereby ordained and enacted as follows:

Article 3, Section 3.00 shall be amended to read as follows:

The identified floodplain area shall be any area of the Borough of Cochranon subject to the one-hundred year flood, which is identified as a Special Flood Hazard Area (Zone A) on the FIRM Map of June 4, 1990, or such revised or amended map that may be adopted.

The following provisions shall be added to Article 4, Section 4.00

G. Shall be amended so that the publication date shall add to June, 1972 the wording "as amended March 1992)".

I. Within any 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 by such structure shall remain either completely or essentially dry during any flood up to that height.

Article 4, Section 4.03 shall have added thereto section C:

C. Where permitted within any identified floodplain area, all manufactured homes, and any improvements thereto, shall be placed on a permanent foundation.

Article 8, Section 8.01 shall have the following definitions added, or amended to read as set forth below:

Basement - means any area of the building having its floor below ground level on all sides.

Completely dry space - a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.

Development - any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

Essentially dry space - a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.

Historic Structure - any structure that is:

i. 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;

ii. 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 to qualify as a registered historic district;

iii. 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

iv. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

1. By an approved state program as determined by the Secretary of the Interior

or

2. Directly by the Secretary of the Interior in states without approved programs.

Identified floodplain area - the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood.

Land development - any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:


i. A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

ii. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

This ordinance passed and enacted this 5th day of MARCH, 2001.


Council President

Attest:


Richard E. Lawhead, Mayor

Attest:


Frances A. McClain, Borough Secretary