

ORDINANCE NO. 134

EAST NORRITON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE EAST NORRITON TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF
1972 (ORDINANCE NO. 85) PROVIDING FOR CONFORMANCE
WITH ACT 1910.3(d) FEDERAL FLOOD INSURANCE PROGRAM

The Board of Supervisors do hereby enact and ordain the following additions or revisions:

I. Section 402 (c) (2) add:

j. Montgomery County Conservation District (when plans are for subdivision and/or land development in or bordering on a flood-prone area.)

II. Section 500 (f), revise to read;

F. Flood-prone areas shall not be subdivided or developed except in strict compliance with the standards and requirements of Section 517 of this Article.

III. Add Section 517 as follows:

Section 517. Flood-prone Areas.

- A. The regulations contained herein shall apply in those areas identified as flood prone in the Flood Insurance Study, Township of East Norriton prepared by the Federal Insurance Administration of the U.S. Department of Housing and Urban Development. The Flood Boundary and Floodway Map, shall be available in the East Norriton Township Office for inspection. In regard to the adopted Flood Plain Conservation District, the regulations contained herein shall apply to those areas defined and established as flood prone.
- B. The Regulations contained herein are intended to conform to the requirements of Section 1910.3d of the National Flood Insurance Program, P.L. 93-234. Furthermore, it is the purpose of these regulations to:
1. Regulate the subdivision and development of flood prone land areas in order to promote the general health, welfare, and safety of the community;
 2. Require that each subdivision lot or development site in flood prone areas be provided with a safe building site with adequate access; and that public facilities which serve such sites be designed and installed to preclude flood damage at the time of initial construction;
 3. Protect individuals from buying lands which are unsuitable for use because of flood hazards by prohibiting the subdivision and development of unprotected floodprone areas.
 4. Maintain the certification of East Norriton Township and the eligibility of the property owners in the Township for the benefits of the National Flood Insurance Program, P.L. 93-234.

- C. Prospective developers shall consult with the Zoning Officer to make a determination as to whether or not the proposed subdivision or land development is located within an identified flood prone area.
- D. Where not prohibited by this or any other codes or ordinances land located in flood prone area(s) may be subdivided or developed with the provision that the developer construct all buildings and structures to preclude flood damage in accordance with this and any other codes or ordinances regulating such development.
- E. The Township Supervisors may, when it is deemed necessary for the health, comfort, safety, or welfare of the present and future population of the area, and necessary facilities, restrict subdivision or development of any portion of the property which lies within the flood plain of any stream or drainage course.
- F. The finished elevation of proposed streets within flood prone areas shall be no more than two (2) feet below the Base Flood Elevation. Drainage openings shall be sufficient to discharge flood flows without unduly increasing flood heights.
- G. Storm drainage facilities shall be designed to convey the flow of surface waters without risk to persons or property. The drainage system shall insure drainage at all points along streets, and insure conveyance of drainage away from buildings.

The Township Supervisors may require an underground system to accommodate a 100 year flood and a secondary surface system to accommodate larger, less frequent floods. Drainage plans shall be consistent with local and regional drainage plans. The facilities shall be designed to prevent the discharge of excess runoff onto adjacent properties.

- H. All new or replacement sanitary sewer systems, whether public or private, located in flood prone areas shall be flood proofed up to a point one and one-half (1-1/2) feet above the Base Flood Elevation.
- I. All new or replacement water systems, whether public or private, in flood prone areas, shall be flood proofed to a point one and one-half (1-1/2) feet above the Base Flood Elevation.
- J. All other new or replacement public or private utilities and facilities in flood prone areas shall be elevated or flood proofed to a point one and one-half (1-1/2) feet above the Base Flood Elevation.
- K. Waivers. Guidelines for relaxation from the requirements set forth in this section are as follows:
 - a. A waiver shall not be issued within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
 - b. A waiver shall only be issued if there is:
 - 1. a showing of good and sufficient cause;
 - 2. a determination that failure to relax the requirements would result in exceptional hardship to the applicant;
 - 3. a determination that the relaxing of a requirement will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- c. A waiver shall only be issued upon a determination that the waiver is the minimum necessary, considering the flood hazard, to afford relief.
- d. The township shall (i) maintain a record of all waivers including justification for their issuance, and (ii) report such decisions issued in its annual report submitted to the Federal Insurance Administrator.
- e. If granted relief, it shall involve only the least modification.

IV. Revise Section 601(F) Certificates to be: Section 601(G) Certificates.

V. Insert new Section 601(F) as follows: Section 601(F) Flood Prone Areas. Where the subdivision or land development lies partially or completely in a flood prone area, or where the subdivision or land development borders on a flood prone area, the plan shall include detailed information identifying the following:

- 1. Location and elevation of existing and proposed streets, water supply and sanitary facilities, building sites, structures, soil types, and proposed flood proofing measures.
- 2. Boundaries of the flood prone area and the base flood elevation as defined in Article XV, Flood Plain Conservation District, of the East Norriton Township Zoning Ordinance.

Section 202: Insert the following definitions as lettered and re-letter the displaced existing definitions accordingly: (or number the definitions):

- D. Base Flood - the flood which has been selected to serve as the basis upon which the flood plain management provisions of this and other ordinances have been prepared; for purposes of this ordinance, the one hundred year flood, as referenced in the current Flood Insurance Study, East Norriton Township prepared by the Federal Insurance Administration, U.S. Department of Housing and Urban Development.
- E. Base Flood Elevation - the 100 year flood elevation, as referenced in the Flood Insurance Study, prepared by the Federal Insurance Administration, U.S. Department of Housing and Urban Development.
- K. Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a building or structure, including the placement of mobile homes.
- O. 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, mining, dredging, filling, grading, excavation, or drilling operations.
- Z. Flood - A temporary condition of partial or complete inundation of normally dry land areas.
- AA. Flood Plain - that area defined in Article XV of the Township Zoning Ordinance as the Flood Plain Conservation District; the flood plain definition contained therein is made part of this ordinance by reference.
- BB. Flood Proofing - 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. Such measures are set forth in flood proofing regulations published by the Office of the Chief Engineers, U.S. Army, publication number EP 1165 2 314 (June, 1972 and as subsequently amended). Flood proofing measures for all new construction and substantial improvements of structures shall satisfy the requirements of the Completely Dry Spaces (W1) and Essentially Dry Spaces (W2) classes referenced in these regulations. In said publication where reference is made to "below", (or above) the BFD" (Base Flood Datum) it shall be interpreted as meaning below, (or above) the Base Flood Elevation.

- cc. 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.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- 1. any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or
- 2. any alteration of a structure listed on a National Register of Historic Places or a State Inventory of Historic Places.

dd. One Hundred Year Flood - a flood that has one chance in one hundred for a one percent change of being equaled or exceeded in any given year. For the purposes of this ordinance, the one hundred year flood (base flood) as defined by the Federal Insurance Administration, U.S. Department of Housing and Urban Development, in the Flood Insurance Study, East Norriton Township.

ee. Within the approximated flood plain, the 100 year flood elevation shall be established as a point on the boundary of the approximated flood plain nearest to the construction site in question.

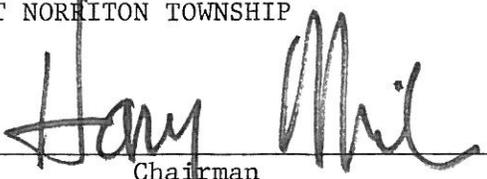
ff. A mobile home is a structure, transportable in one or more sections, which is built on a permanent chassis and designed to be used with or without a permanent foundation when connected to the required utilities. It does not include recreational vehicles or travel trailers. The term includes, but is not limited to, the definition of a mobile home as set forth in regulations governing the MOBILE HOME SAFETY AND CONSTRUCTION STANDARDS PROGRAM (24 C.F.R. 3282.7a).

Enacted and ordained by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 20th day of September A.D. 1977.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

Attest:


Secretary

By: 
Chairman