

ORDINANCE NO. 4-1986 AMENDING
SHENANGO TOWNSHIP ORDINANCE NO. 1978-5,
KNOWN AS THE SHENANGO TOWNSHIP FLOOD INSURANCE ORDINANCE

An Ordinance providing for amendments to the Shenango Township Flood Insurance Ordinance.

WHEREAS, the Supervisors of Shenango Township, Lawrence County, Pennsylvania, have determined that certain amendments to the Shenango Township Ordinance No. 1978-5, known as the Shenango Township Flood Insurance Ordinance are needed.

BE IT RESOLVED, that the Shenango Township Flood Insurance Ordinance, being Ordinance No. 1978-5 be amended to read as follows:

Section 105 - Title

"This Ordinance shall be known and designated as the 'Shenango Township Flood Insurance Ordinance'."

"Article VII - Definitions, Section 7.01 - Specific Definitions.

V - Township - the Township of Shenango, Lawrence County, Pennsylvania."

"Section 4.04 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 of this ordinance, or any other ordinance, code or regulation:

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. Within any FW (Floodway Area), any structure of the kind described in Subsection A., above, shall be prohibited.

C. Within any FA (General Floodplain Area), any structure of the kind described in Subsection A., above, shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.

D. Where permitted within any FF (Flood-Fringe Area) or FA (General Floodplain Area), any 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 (1-1/2) feet above the one-hundred (100) year flood and
2. designed to prevent pollution from the structure or activity during the course of a one-hundred (100) 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), as amended and added to from time to time, or with some other equivalent watertight standard.

E. Except for a possible modification of the freeboard requirements involved, no variance will be granted for any of the other requirements pertaining specifically to Development Regulated by Special Permit (Section 9.00) or to Development Which May Endanger Human Life (Section 4.04)."

"Article IX - Activities Requiring Special Permits

Section 9.00 General

A. The provisions of this Section shall be applicable, in addition to any other applicable provisions of this ordinance or any other ordinance, code or regulation.

B. Identification of Activities Requiring a Special Permit

In accordance with the Pennsylvania Flood Plain Management Act (Act 1978-166) and regulations adopted by the Department of Community Affairs as required by the Act, the following obstructions and activities are permitted only by Special Permit, if located partially or entirely within any identified floodplain area:

1. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
 - a) hospitals
 - b) nursing homes
 - c) jails or prisons
2. The commencement of, or any construction of, a new mobile home park or mobile home subdivision, or substantial improvement to an existing mobile home park or mobile home subdivision

C. Application Requirements

Applicants for Special Permits shall provide five copies of the following items:

1. A written request including a completed Building Permit Application Form.

2. A small scale map showing the vicinity in which the proposed site is located.
3. A plan of the entire site, clearly and legibly drawn at a scale of one (1) inch being equal to one hundred (100) feet or less, showing the following:
 - a. north arrow, scale and date;
 - b. topography based upon the National Geodetic Vertical Datum of 1929, showing existing and proposed contours at intervals of two (2) feet;
 - c. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - d. the location of all existing streets, drives, other accessways, and parking areas, with information concerning widths, pavement types and construction, and elevations;
 - e. the location of any existing bodies of water or water-courses, buildings, structures and other public or private facilities, including railroad tracks and facilities, and any other natural and man-made features affecting, or affected by, the proposed activity or development;
 - f. the location of the flood plain boundary line, information and spot elevations concerning the one hundred (100) year flood elevations, and information concerning the flow of water including direction and velocities;
 - g. the location of all proposed buildings, structures, utilities, and any other improvements; and
 - h. any other information which the municipality considers necessary for adequate review of the application.
4. Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:

- a. sufficiently detailed architectural or engineering drawings including floor plans, sections, and exterior building elevations as appropriate;
 - b. for any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor;
 - c. complete information concerning flood depths, pressures, velocities, impact and uplift forces, and other factors associated with the one hundred (100) year flood;
 - d. detailed information concerning any proposed flood-proofing measures;
 - e. cross-section drawings for all proposed streets, drives, other accessways, and parking areas, showing all rights-of-way and pavement widths;
 - f. profile drawings for all proposed streets, drives, and vehicular accessways including existing and proposed grades; and
 - g. plans and profiles of all proposed sanitary and storm sewer systems, water supply systems, and any other utilities and facilities.
5. The following data and documentation:
- a. certification from the applicant that the site upon which the activity or development is proposed is an existing separate and single parcel, owned by the applicant or the client he represents;
 - b. certification from a registered professional engineer, architect, or landscape architect that the proposed construction has been adequately designed to protect against damage from the one hundred (100) year flood;
 - c. a statement, certified by a registered professional engineer, architect, landscape architect, or other qualified person which contains a complete and accurate description of the nature and extent of pollution that might possibly occur

from the development during the course of one hundred (100) year flood, including a statement concerning the effects such pollution may have on human life;

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

D. Application Review Procedures

Upon receipt of an application for a Special Permit by the

Township, the following procedures shall apply in addition to all other applicable permit procedures which are already established:

1. Within three (3) working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations.

Copies of the application shall also be forwarded to the Township Planning Commission for review and comment.

2. If an application is received that is incomplete, the Township, shall notify the applicant in writing, stating in what respects the application is deficient.
3. If the Township decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
4. If the Township approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community Affairs, by registered mail, within five (5) working days after the date of approval.
5. Before issuing the Special Permit, the Township shall allow the Department of Community Affairs thirty (30) days, after receipt of the notification of the Department, to review the application and the decision made by the Township.
6. If the Township does not receive any communication from the Department of Community Affairs during the thirty (30) day review period, it may issue a Special Permit to the applicant.
7. If the Department of Community Affairs should decide to disapprove an application, it shall notify the Township and the applicant, in writing, of the reasons for the disapproval, and the Township shall not issue the Special Permit.

E. Technical Requirements for Development Requiring a Special Permit

In addition to any other applicable requirements, the following provisions shall also apply to the activities requiring a Special Permit. If there is any conflict between any of the following requirements and any otherwise applicable provision, the more restrictive provision shall apply.

1. No application for a Special Permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will:
 - a. Fully protect the health and safety of the general public and any occupants of the structure. At a minimum, all new structures shall be designed, located and constructed so that:
 - (i) the structure will survive inundation by waters of the one hundred (100) year flood without any lateral movement or damage to either the structure itself, or to any of its equipment or contents below the one hundred (100) year flood elevation.
 - (ii) the lowest floor elevation (including basement) will be at least one and one-half (1-1/2) feet above the one hundred (100) year flood elevation.
 - (iii) the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the one hundred (100) year flood.
 - b. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property
2. All hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently

accepted technical concepts. Studies, analyses, computations, etc. shall be submitted in sufficient detail to allow a thorough technical review by the Township and the Department of Community Affairs.

These amendments to the Shenango Township Ordinance No. 1978-5 shall become effective five (5) days after its passage or adoption.

ORDAINED AND ENACTED into an Ordinance by the Board of Supervisors of the Township of Shenango, Lawrence County, Pennsylvania, on this 12 th day of June, 1986.

TOWNSHIP OF SHENANGO,
LAWRENCE COUNTY, PENNSYLVANIA

ATTEST:

Teresa K. Moore
Secretary

By *Joseph Shinsky*
Chairman

By *Andrew Piccitta*
Supervisor

By *Earl H. Cunningham*
Supervisor