AN ORDINANCE REQUIRING ALL PERSONS, PARTNERSHIPS, BUSINESSES, AND CORPORATIONS TO OBTAIN A BUILDING PERMIT FOR ANY CONSTRUCTION OR DEVELOPMENT, PROVIDING FOR THE ISSUANCE OF SUCH BUILDING PERMITS; SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTIONS AND DEVELOPMENT WITHIN AREAS OF THE TOWNSHIP OF FARMINGTON, (TIOGA COUNTY, PENNSYLVANIA), WHICH ARE SUBJECT TO FLOODING; AND ESTABLISHING 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 Township of Farmington, (Tioga County, Pennsylvania), and it is hereby enacted and ordained by the authority of the same as follows:

ARTICLE I GENERAL PROVISIONS

Section 1.00 Intent

The intent of this ordinance is to:

A. Promote the general health, welfare, and safety of the community

B. Encourage the utilization of appropriate construction practices in order to prevent or 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, any construction or development anywhere within the Township, unless an approved Building Permit has been obtained from the 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.

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 shall 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 on rare occasions. 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 flood-prone 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 Township, 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 Permits Required

Building Permits shall be required before any construction or development is undertaken within any area of the Township.

Section 2.01 Issuance 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 the requirements of this and all other applicable codes and ordinances.

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 governmental permits such as those required by State and Federal laws have been obtained, including those required by Act 537, the Pennsylvania Sewage Facilities Act, the Water Obstruction Act of 1913, and the Federal Water Pollution Control Act Amendments of 1972, Section 404, 33, U.S.C. 1334. No permit shall be issued until this determination has been made.

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 Township. 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. Proposed lowest floor and basement elevations in relation to mean seal level, i.e. National Geodetic Vertical Datum of 1929.

7. Brief description of proposed work and estimated cost.

8. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

B. If any proposed construction or development is located within, or partially within, any identified flood-prone area, applicants for Building Permits shall also provide the following specific information:

1. A plan which accurately delineates the identified flood-prone area, the location of the proposed construction, the location of any adjacent flood-prone development or structures, and the location of any existing or proposed subdivision and land development in order to assure that:

   a. all such proposals are consistent with the need to minimize flood damage;

   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.

2. Such plan shall also include existing and proposed contours; information concerning one hundred (100) year flood elevations, velocities, and other applicable information such as preasures, impact and uplift forces, associated with the one hundred (100) year flood; size of structures, location and elevations of streets; water supply and sanitary sewage facilities; soil types; and floodproofing measures.

3. A document, certified by a registered professional engineer or architect, which states that the proposed construction has been adequately designed to withstand the one hundred (100) year flood elevations, preasures, velocities, impact, and uplift forces and other hydrostatic, hydrodynamic and buoyancy factors associated with the one hundred (100) year flood.

   Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure.

Section 2.03 Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any identified flood-prone area to be considered for approval shall be submitted by the Building Permit Officer to the County 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 flood-prone 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 ofthe plans, specifications or other documents submitted with the application without the written consent or approval of the Building Permit Officer.

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 constructions 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 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 the first placement of permanent construction of a structure on the site such as the pouring of slabs or footings or any work beyond the state 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 electrical or other service lines from the street.

Section 2.08 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 Township 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 Board of Supervisors for whatever action it considers necessary.

Section 2.09 Fees

Applications for a building permit shall be accompanied by a fee, payable to the Township based upon the estimated cost of the proposed construction as determined by the Building Permit Officer at the following rates:

Estimated Cost	Fee
$ 0.00 to $200.00	$ 0.00
201.00 to $1,000.00	5.00
Each additional $1,000, or part thereof beyond the first $1,000.00	1.00

Section 2.10 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, such authority shall give notice to 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 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, or any part thereof, and with the regulations adopted pursuant thereto.

B. Hearings

Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Ordinance, or of any regulation adopted pursuant thereto, may request and shall be granted a hearing on the matter before the Board of Supervisors provided that such person shall file with the Township Secretary, a written petition requesting such hearing and setting forth a brief statement of the grounds therefore within ten (10) days after the notice was served. The filing of the request for a hearing shall operate as a stay of the notice and the suspension. Upon receipt of such petition, the Township Secretary shall set a time and place for such hearing and shall give the petitioners written notice thereof. At such hearing the petitioner shall be given an opportunity to be heard and to show why such notice shall be modified or withdrawn. The hearing shall be commenced not later than ten (10) days after the day on which the petition was filed; provided that upon application of the petitioner, the

Township Secretary may postpone the date of the hearing for a reasonable time beyond such ten (10) day period when, in his judgment, the petitioner has submitted good and sufficient reasons for such postponement.

C. Findins and Order

After such hearing the Board of Supervisors shall make findings as to compliance with the provisions of this Ordinance and regulations issued thereunder and shall issue an order in writing, sustaining, modifying, or withdrawing the notice which shall be served as provided in subsection A. of this Section.

D. Record and Appeals

The proceedings at such a hearing, including the findings and decision of the Board of Supervisors and together with a copy of every notice and order related thereto shall be entered as a matter of public record in the Township but the transcript of the proceedings need not be transcribed unless judicial review of the decision is sought as provided by this section. Any person aggrieved by a decision of the Township may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

E. 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 Township of not less than Twenty-five Dollars ($25.00) nor more than Three Hundred Dollars ($300.00) plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prision 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 Board of Supervisors 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, or by any of the requirements of this Ordinance, may appeal to the Board of

Supervisors. Such appeal must be filed, in writi within thirty (30) days after the decision or acti of the Building Permit Officer. Upon receipt of such appeal the Board of Supervisors shall set a time and place, within 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.

B. Any person aggrieved by any decision of the Board of Supervisors, may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this Commonwealth.

ARTICLE III IDENTIFICATION OF FLOOD-PRONE AREAS

Section 3.00 Identification

For the purpose of this Ordinance, the areas considered to be flood-prone within the Township shall be those areas identified as being subject to the one hundred (100) year flood in the Flood Insurance Study prepared for the Township by the Federal Insurance Administration dated February 15, 1980.

A map showing all areas considered to be flood-prone is available for inspection at the Township offices. For the purposes of this Ordinance the following nomenclature is used in referring to the various kinds of flood-prone areas:

A. FW (Floodway Area) - the areas identified as "Floodway" in the Flood Insurance Study prepared by the FIA.

B. FF (Flood-Fringe Area) - the areas identified as "Floodway Fringe" in the Flood Insurance Study prepared by the FIA.

C. FA (General Flood Plain Area) - the areas identified as "Approximate 100 year Flood Plain) in the Flood Insurance Study prepared by the FIA.

Section 3.01 Determination of the 100 Year Flood Elevation in FA (General Flood Plain Areas)

To determine the "100 year flood" elevation for these areas, the elevation at a given point on the boundary of the identified flood prone area(s) 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)

D. Known Highwater Marks from Past Floods

E. Other sources

In lieu of the above, the municipality shall 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 Township.

Section 3.02 Changes in Identification of Flood-Prone Areas

The areas considered to be flood-prone may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need or possibility for such revision.

No modification or revision of any area identified as being flood-prone in Flood Insurance Study prepared by the Federal Insurance Administration shall be made without prior approval from the Federal Insurance Administration.

Section 3.03 Disputes

Should a dispute arise concerning the identification of any flood-prone area, an initial determination shall be made by the Building Permit Officer and any aggrieved by such decision may appeal to the Board of Supervisors. The burden of proof shall be on the appellant.

ARTICLE IV TECHNICAL PROVISIONS

Section 4.00 General

A. 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 municipality, and until all required permits or approvals have been first obtained from the Department of Environmental Resources, Dams and Waterways Management Bureau.

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

B. Where a flood-prone area has been identified which includes a floodway area, the following provisions apply:

1. Within any designated floodway (FW) area, no new construction, development, use, activity, or encroachment of any kind, shall be allowed, except where the rise in flood heights caused by the proposed development is fully offset by accompanying improvements.

The floodway area is based on the criteria that the portion of the flood plain selected must be capable of carrying the waters of the one hundred (100) year flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The floodway is shown on the Flood Boundary and Floodway map accompanying the Flood Insurance Study (FIS). The areas included are specifically defined in the Floodway Data Table of the FIS itself.

2. Within any designated flood-fringe (FF) area, new construction and other development, uses and activities shall be allowed, provided that they are undertaken in strict compliance with the provisions contained in this Ordinance and any other applicable codes, ordinances and regulations.

C. Where a flood-prone area has been identified which does not include detailed flood profiles and elevation, the following provisions apply:

1. Within any area designated "FA" area, new construction, and other development, uses and activities, shall be allowed, provided that they are undertaken in strict compliance with the provisions contained in this Ordinance, as well as any other applicable codes, ordinances, and regulations.

Section 4.01 Elevation and Floodproofing Requirements

A. Residential Structures

1. Within any FW, FF, or FA area, the lowest floor (including basement) of any new or improved residential structures shall be at least one and one-half (1 1/2) feet above the one hundred (100) year flood elevation.

B. Non-residential Structures

1. Within any FW, FF, or FA area, the lowest floor (including basement) or any new or improved non-residential structure shall be at least one and one-half (1 1/2) feet above the one hundred (100) year 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.

2. Any structure, or part thereof, which will not be completely or adequately elevated, shall be designed and constructed to be completely or essentially dry in accordance with the standards contained in the publication entitled "Flood-proofing Regulations" (U. S. Army Corps of Engineers, June 1972), or some other equivalent standard, for that type of construction.

Section 4.02 Design and Construction Standards

The following minimum standards shall apply for all construction proposed to be undertaken within any identified flood-prone area:

A. Fill

If fill is used, it shall:

1. extend laterally at least fifteen (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 (1) vertical to two (2) horizontal, unless substantiated data, justifying steeper slopes are submitted to, and approved by the Building Permit Officer,

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 drainage at all points 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. Sanitary Sewer Facilities

All new or replacement sanitary sewer facilities, and private package sewage treatment plants (including all pumping stations and collector systems) shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into the flood waters. In addition, they should be located and constructed to minimize or eliminate flood damage and impairment.

D. Water Facilities

All new or replacement water facilities shall be designed to minimize or eliminate infiltration of flood waters into the system, and be located and constructed to minimize or eliminate flood damages.

E. Streets

The finished elevation of proposed new streets shall be no more than one (1) foot below the Regulatory Flood Elevation.

F. Utilities

All utilities such as gas lines, electrical and telephone systems being placed in identified flood-prone areas should be located, elevated (where possible) and constructed to minimize the change of impairment during a flood.

G. Storage

No materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, shall be stored below the Regulatory Flood Elevation.

H. 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.

I. 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 present flotation.

J. Floors, Walls and Ceilings

1. Wood flooring used at or below the Regulatory Flood Elevation shall be installed to accomodate 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.

K. Paints and Adhesives

1. Paints or other finishes used at or below the Regulatory Flood Elevation shall be of a "Marine" or water-resistant quality.

2. Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or water-resistant quality.

3. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or water-resistant paint or other finishing material.

L. Electrical Systems and Components

1. Electric water heaters, furnaces, air conditioning and ventilating systems, and other electrical equipments or apparatus shall not be located below the Regulatory Flood Elevation.

2. Electrical distribution panels shall be at least three (3) feet above the one hundred (100) year flood elevation.

3. Separate electrical circuits shall serve lower levels and shall be dropped from above.

M. Plumbing

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

2. No part of any on-site sewage disposal system shall be located within any identified flood-prone area.

3. Water supply systems and sanitary sewage systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters.

4. 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 4.03 Special Requirements for Mobile Homes

A. All mobile homes and any additions thereto shall be 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 Institute and National Fire Protection Association Standards as specified in the Standard for the Installation of Mobile Homes Including Mobile Home Park Requirements (NFPA No. 501A-1974 (ANSI A119.3-1975) as amended for Mobile Homes in Hurricane Zones or other Appropriate Standards such as the following:

1. over-the-top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and one (1) additional tie per side for units less than fifty (50) feet in length.

2. frame ties shall be provided at each corner of the mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in lenght, and four (4) additional ties per side for units less than fifty (50) feet in length.

3. all components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4800) pounds.

B. All mobile homes and any additions thereto shall also be elevated in accordance with the following requirements:

1. the stands or lots shall be elevated on compacted fill, or on pilings so that the lowest floor of the mobile home will be at or above the elevation of the Regulatory Flood.

2. adequate surface drainage is provided.

3. adequate access for a hauler is provided.

4. 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 ten (10) feet apart; reinforcement shall be provided for pilings that will extend for six (6) feet or more above the ground level.

C. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the appropriate Township for mobile home parks and mobile home subdivisions where appropriate.

D. No mobile homes shall be placed in any designated Floodway area.

ARTICLE V VARIANCES

If compliance with the elevation or floodproofing requirements of this Ordinance would result in an exceptional hardship for a prospective builder, developer, or landowner, the Township may, upon request, grant relief from the strict application of the requirement.

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

1. If granted, a variance shall involve only the least modification necessary to provide relief.

2. In granting any variance, the Township may 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.

3. Whenever a variance is granted, the Township 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 riske to life and property.

4. In reviewing any request for a variance, the Township shall consider, but not be limited to, 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 not result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, extra-ordinary public expense, create nuisances, cause fraud on, or victimization of the public, or conflict with any other applicable local or State ordinances and regulations.

5. A complete record of all variance requests and related actions shall be maintained by the Township. 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 (100) year flood.

6. No variances shall be granted in a flood way that will cause any increase in the one hundred (100) year flood elevation.

ARTICLE VI EXISTING STRUCTURES IN FLOOD - PRONE AREAS

Structures existing in any identified flood-prone area prior to the enactment of this Ordinance, but which are not in compliance with these provisions, may continue to remain subject to the following:

1. Existing structures located in any identified floodway area shall not be expanded or enlarged, unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying improvements.

2. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of less than fifty (50) percent of its market value, shall be elevated and/or floodproofed to the greatest extent possible.

3. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of fifty (50) percent or more of its market value, shall be undertaken only in full compliance with the provisions of this Ordinance.

ARTICLE VII DEFINITIONS

Section 7.00 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 7.01 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. 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.

D. Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

E. 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.

F. 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.

G. Flood - a temporary inundation of normally dry land areas.

H. Flood Plain - see definition of Flood-prone area.

I. Floodproofing - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

J. Flood-prone 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.

K. Identified Flood Prone Area - the flood plain area specifically identified in this ordinance as being inundated by the one hundred (100) year flood. Included would be areas identified as Floodway (FF), Flood-Fringe (FF) and General Flood Plain (FA).

L. Land Development - (i) the improvement of one lot, or two or more contiguous lots, tracts, or parcels of land for any purpose involving (a) a group of two or more buildings, of (b) the division or allocation of land or space between or among two or more existing or prospective occupants by means, of, or for the purpose of streets, common areas, leaseholds, condominimms, building groups or other features; (ii) a subdivision of land.

M. 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.

N. 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.

O. 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 non-transient use.

P. 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 flood-prone 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.

Q. One hundred year flood - a flood that, on the average, is likely to occur once every one hundred (100) years (i.e. that has a one (1) percent chance of occurring each year, although the flood may occur in any year).

R. Regulatory flood elevation - the one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1 1/2) feet.

S. 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.

T. 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; provided however, that the division of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access, shall be exempted.

ARTICLE VIII ENACTMENT

This Ordinance shall become effective on , 1982, and shall remain in force until modified, amended, or rescinded by the Township of Farmington, Tioga County, Pennsylvania.

Adopted by the Board of Supervisors of the Township of Farmington, Tioga County, Pennsylvania, this 7th day of July, 1982.

ATTEST:

Madeline Smith
Township Secretary

BOARD OF SUPERVISORS

F. R. Baker

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