

AN ORDINANCE OF THE TOWNSHIP OF FARMINGTON, TIOGA COUNTY, PENNSYLVANIA, AMENDING ITS ORDINANCE REQUIRING BUILDING PERMITS AND SETTING FORTH CERTAIN MINIMUM REQUIREMENTS FOR NEW CONSTRUCTION AND DEVELOPMENT IN AREAS SUBJECT TO FLOODING BY CHANGING THE PENNSYLVANIA DEPARTMENT OF COMMUNITY AFFAIRS IN SECTIONS 2.01C, 402A, 5.00 AND 5.03 TO PENNSYLVANIA DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT, BY AMENDING THE DEFINITIONS OF "DEVELOPMENT" AND "SUBSTANTIAL IMPROVEMENT" IN SECTION 8.01 AND BY ADDING DEFINITIONS FOR "BASEMENT", "HISTORIC STRUCTURE", "LOWEST FLOOR", "NEW CONSTRUCTION", "RECREATIONAL VEHICLE", AND "SUBSTANTIAL DAMAGE" TO SECTION 8.01.

BE IT ENACTED AND ORDAINED by the Township of Farmington, Tioga County, Pennsylvania ("Township") and it is hereby enacted and ordained by the Authority of the same to amend the Ordinance of the Township adopted by the Township on August 3, 1992, commonly referred to as the Farmington Township Floodplain Management Ordinance as follows:

SECTION 1. Article II ADMINISTRATION, Section 2.01 Issuance of Building Permit, Paragraph C, is amended to delete the Department of Community Affairs and to substitute therefore the Pennsylvania Department of Community and Economic Development.

SECTION 2. Article II ADMINISTRATION, Section 4.02 Development Which May Endanger Human Life, Paragraph A, is amended to delete the Department of Community Affairs and to substitute therefore the Pennsylvania Department of Community and Economic Development.

SECTION 3. Article V, ACTIVITIES REQUIRING SPECIAL PERMITS, Section 5.00 General, is amended to delete the Department of Community Affairs and to substitute therefore the Pennsylvania Department of Community and Economic Development.

SECTION 4. Article V, ACTIVITIES REQUIRING SPECIAL PERMITS, Section 5.02 Application Review Procedures, Paragraphs E, F and G are amended to delete the Department of Community Affairs and to substitute therefore the Pennsylvania Department of Community and Economic Development.

SECTION 5. Article V, ACTIVITIES REQUIRING SPECIAL PERMITS, Section 5.03 Special Technical Requirements, Paragraph B, Subparagraph 2 is amended to delete the Department of Community Affairs and to substitute therefore the Pennsylvania Department of Community and Economic Development.



SECTION 6. Article VIII DEFINITIONS, Section 8.01 Specific Definitions, Paragraph D.-Development is amended to read as follows:

D. Development - any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, the placement of manufactured homes, streets, and other paving, utilities, felling, grading, excavation, mining, dredging, or drilling operation, the storage of equipment or materials, and the subdivision of land.

SECTION 7. ARTICLE VIII DEFINITIONS, Section 8.01 Specific Definitions, Paragraph Q.-Substantial Improvement is amended to read as follows:

Q. Substantial Improvement - any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceed 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."

SECTION 8. DEFINITIONS, Section 8.01, Specific Definitions, is amended to add the following additional specific definitions:

R. Basement - any area of the building having its floor subgrade (below ground level) on all sides.

S. Historic Structure - Any structure that is:

(a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

(b) 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;

(c) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or

(d) 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.

T. Lowest Floor - the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance.

U. New Construction - structures for which the "start of construction" commenced on or after July 7, 1982, and includes any subsequent improvements to such structures.

V. Recreational Vehicle - a vehicle which is:

(a) built on a single chassis; (b) 400 square feet or less when measured at the largest horizontal projection; (c) designed to be self-propelled or permanently towable by a light duty truck; and (d) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

W. Substantial Damage - damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

ORDAINED AND ENACTED this 7th day of April, 1997.

TOWNSHIP OF FARMINGTON

By:

Keith A. Cooke
Supervisor

Wallace H. Kemp
Supervisor

Brian M. Hill
Supervisor

ATTEST:

Madeline B. Smith

(SEAL)