

Ord.No. 193

AN ORDINANCE AMENDING THE FLOODPLAIN
MANAGEMENT ORDINANCE OF THE BOROUGH
OF PATTERSON HEIGHTS, BEAVER COUNTY
TO ESTABLISH ADDITIONAL PROVISIONS
FOR ACTIVITIES REQUIRING SPECIAL
PERMITS

BE IT ENACTED and ORDAINED by the Borough of Patterson Heights, Beaver County, Pennsylvania, and it is hereby ENACTED and ORDAINED by the authority of the same:

I. An Article IX shall be added to read:

ARTICLE IX - ACTIVITIES REQUIRING SPECIAL PERMITS

Section 9.00 - General

In accordance with the administrative regulations promulgated by the Department of Community Affairs to implement the Pennsylvania Flood Plain Management Act, the following activities shall be prohibited within any identified floodplain area unless a Special Permit has been issued by the Borough:

A. 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:

1. hospitals
2. nursing homes
3. jails or prisons

B. 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.

Section 9.01 - Application Requirements for Special Permits

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

A. A written request including a completed Building Permit Application Form (e.g. any or all of the technical information contained in Section 2.02.)

B. A small scale map showing the vicinity in which the proposed site is located.

C. The following data and documentation:

1. 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;

2. 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;

3. 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 a one hundred (100) year flood, including a statement concerning the effects such pollution may have on human life;

4. 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;

5. 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 bouyant 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;

6. the appropriate component of the Department of Environmental Resources' "PLanning Module for Land Development";

7. 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;

8. 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

9. 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.

Section 9.02 - Application Review Procedures

Upon receipt of an application for a Special Permit by the Borough, the following procedures shall apply in addition to those of Article II:

A. 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 Borough Planning Commission and Borough Engineer for review and comment.

B. If an application is received that is incomplete, the Borough shall notify the applicant in writing, stating in what respect the application is deficient.

C. If the Borough decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.

D. If the Borough approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community Affairs, by registered or certified mail, within five (5) working days after the date of approval.

E. Before issuing the Special Permit, the Borough shall allow the Department of Community Affairs thirty (30) days, after receipt of the notification by the Department, to review the application and decision made by the Borough.

F. If the Borough 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.

G. If the Department of Community Affairs should

decide to disapprove an application, it shall notify the Borough and the applicant, in writing, of the reasons for the disapproval, and the Borough shall not issue the Special Permit.

Section 9.03 - Special Technical Requirements

A. In addition to the requirements of Article IV of this Ordinance, the following minimum requirements shall also apply to any proposed development requiring a Special Permit. If there is any conflict between any of the following requirements and those in Article IV of this Ordinance or in any other code, ordinance, or regulation, the more restrictive provision shall apply.

B. 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:

1. 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:

a. 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.

b. the lowest floor elevation will be at least one and one-half (1 1/2) feet above the one-hundred (100) year flood elevation.

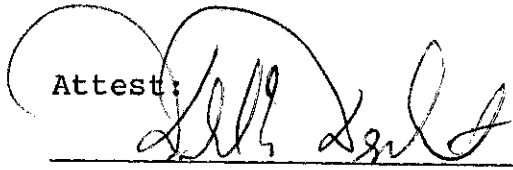
c. the occupants of the structure can remain inside for an indefinite period of time and be safely evacuated at any time during the one-hundred (100) year flood.

2. Prevent any significant possibility of pollution, increased flood levels or flows, or debris endangering life and property.


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 Borough and the

Department of Community Affairs.

ENACTED AND ORDAINED THIS 14th day of April,
1986.

Attest: 

Borough Secretary



Council President