

AN ORDINANCE REQUIRING ALL PERSON, 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 CONSTRUCTION AND DEVELOPMENT WITHIN AREAS OF THE TOWNSHIP OF SOUTH HUNTINGDON 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.

WHEREAS, the Pennsylvania Flood Plain Management Act (Act 166) requires all flood-prone municipalities to participate in the National Flood Insurance Program (NFIP) and to enact flood plain management regulations that meet or exceed minimum Federal and State standards; and,

WHEREAS, the Supervisors of South Huntingdon Township, Westmoreland County, Pennsylvania, desire to protect the property, health, safety, and welfare of the residents of South Huntingdon Township and desire also to comply with the Federal and State requirements as aforesaid.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of South Huntingdon, Westmoreland County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

ARTICLE II 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;
- E. Comply with federal and state flood plain management requirements.

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 of South Huntingdon unless a 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.

Section 1.02 Abrogation and Greater Restrictions

This Ordinance supersedes any other conflicting provisions which may be in effect in identified flood-plain areas. However, any other ordinance provisions shall remain in full force and effect to the extent that those provisions are more restrictive. If there is any conflict between any of the provisions of this Ordinance, the more restrictive shall apply.

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 that remaining portion 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. 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 floodplain 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 of South Huntingdon or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder. 93

ARTICLE II ADMINISTRATION

Section 2.00 Building Permits Required

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

Section 2.01 Issuance of Building Permits

- 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 government permits required by State and Federal laws have been obtained such as those required by the Pennsylvania Sewage & Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachment Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); the U.S. Clean Water Act, Section 404,33, U.S.C. 1334. No permit shall be issued until this determination has been made.
- C. 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 such action~~ have been notified by the Township of South Huntingdon and until all required permits or approvals have been first obtained from the Department of Environmental Resources, Bureau of Dams and Waterway Management.

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

Section 2.02 Application Procedures and Requirements

- A. Application for such a building permit shall be made, in writing, to the Building Permit Officer on forms supplied by the Township of South Huntingdon. Such application shall contain 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. Brief description of proposed work and estimated cost;
 7. 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 entirely or partially within any identified floodplain area, applicants for Building Permits shall provide all the necessary information in sufficient detail and clarity to enable the Building Permit Officer to determine that:
 - (a) all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances;
 - (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.

Applicants shall file the following minimum information plus any other pertinent information (e.g., any or all of the technical information contained in Section 5.01) as may be required by the Building Permit Officer to make the above determination:

1. A completed Building Permit Application Form.
2. 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) topographic contour lines, if available;
 - (c) all property and lot lines including dimensions, and the size site expressed in acres or square feet;
 - (d) the location of all existing and proposed buildings, structures, and other improvements including the location of any existing or proposed subdivision and land development;
 - (e) the location of all existing streets, drives, and other accessways; and
 - (f) the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
3. Plans of all proposed buildings, structures, and other improvements, drawn at suitable scale showing the following:
 - (a) the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - (b) the elevation of the one-hundred (100) year flood;
 - (c) if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one-hundred (100) year flood; and
 - (d) detailed information concerning any proposed floodproofing measures.
4. The following data and documentation:
 - a) detailed information needed to determine compliance with Section 4.01 F., Storage, and Section 4.02, Development Which May Endanger Human Life, including:
 - i) the amount, location and purposes of any dangerous materials or substances which are intended to be used, produced, stored or otherwise maintained on site.
 - ii) a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in Section 4.02 during a one hundred (100) year flood.
 - b. the appropriate component of the Department of Environmental Resources' "Planning Module for Land Development."
 - c. 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.

Section 2.03 Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval may 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 application for any proposed construction or development

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 of the plans, specifications or other documents submitted with the application without the written consent or approval of the Building Permit Officer. Requests for any such changes shall be in writing, and shall be submitted by the applicant to Building Permit Officer for consideration.

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 construction is in progress. This placard shall show the number of the buildings 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 and/or development shall begin within six (6) months and shall be completed within twelve (12) 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 and/or development shall be considered to have started with the preparation of land, 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.

Time extensions shall be granted only if a written request is submitted by the applicant, which sets forth sufficient and reasonable cause for the Building Permit Officer to approve such a request.

Section 2.08 Inspection and Revocation

- A. During the construction period, the Building Permit Officer or other authorized official shall 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. He shall make as many inspections during and upon completion of the work as are necessary.
- B. In the discharge of his duties, the Building Permit Officer shall have the authority to enter any building, structure, premises or development in the identified flood-prone area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this Ordinance.
- C. 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 for whatever action it considers necessary.
- D. A record of all such inspections and violations of this ordinance shall be maintained.

Section 2.09 Fees

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

<u>Estimated Cost</u>	<u>Fee</u>
\$ 0.00 to \$ 200.00	\$ 0.00
\$201.00 to \$1,000.00	\$ 5.00
Each additional \$1,000.00 or part thereof beyond the first \$1,000.00	\$ 1.00

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, the Building Permit Officer shall give notice of 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 not to exceed a period of thirty (30) days 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 laws of this State; (e) contain an outline of remedial action which if taken, will effect compliance with the provisions of this Ordinance.

B. 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 South Huntingdon Township of not less than Twenty-five (\$25.00) Dollars plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison 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-compliance within a reasonable time. Any development initiated or 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 concerning the administration of the provisions of this Ordinance may appeal to the Board of Supervisors. Such appeal must be filed, in writing, within thirty (30) days after the decision or action of the Building Permit Officer.
- B. 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 considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
- C. Any person aggrieved by any decision of the Board of Supervisors may seek relief therefrom by appeal to court, as provided by the laws of this Commonwealth including the Pennsylvania Flood Plain Management Act.

ARTICLE III IDENTIFICATION OF FLOODPLAIN AREAS

Section 3.00 Identification

The identified floodplain area shall be any area of the Township of South Huntingdon, subject to the one hundred (100) year flood, which is identified as Zone A on the Flood Hazard Boundary Map (FHBM) dated September 10, 1976, as issued by the Federal Emergency Management Agency.

Section 3.01 Determination of the One Hundred (100) Year Flood Elevation

For the purposes of this Ordinance, the one hundred (100) year flood elevation shall be used as the basis for regulation. To determine the one hundred year flood elevation, the elevation at

a given point on the boundary of the identified floodplain area 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) or P.L. 566 Flood Information
- D. Pennsylvania Department of Environmental Resources Flood Control Investigations.
- E. Known Highwater Marks from Past Floods
- F. Other sources

In lieu of the above, the municipality may 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 Area

The identified floodplain area may be revised or modified by the Board where studies or information provided by a qualified agency or person documents the need for such revision. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA).

Section 3.03 Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the and any party aggrieved by this decision may appeal to the Board. The burden of proof shall be on the appellant.

ARTICLE IV GENERAL TECHNICAL REQUIREMENTS

Section 4.00 General

- A. In the identified floodplain area, the development and/or use of any land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in force in the municipality.
- B. Within any identified floodplain area, no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- C. Within any identified floodplain area, the elevation of the lowest floor (including Basement) of any residential structure shall be one and one half (1½) feet or more above the one-hundred (100) year flood elevation.
- D. Within any identified floodplain area, the elevation of the lowest floor (including dasement) of any new or substantially improved non-residential structure shall be one and one-half (1½) feet or more above the one-hundred (100) year flood elevation or be flood-proofed up to that height.

Any non-residential structure, or part thereof, which will not be completely or adequately elevated, shall be floodproofed in accordance with the provisions of this Article. Additional information may be obtained from the publication entitled "Flood-proofing Regulations" (U.S. Army Corps of Engineers, June 1972).

Section 4.01 Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain 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 reosion, 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; and,
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 proper drainage 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. Water and Sanitary Sewer Facilities and Systems

1. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
3. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.

D. Other Utilities

All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.

E. Streets

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

F. Storage

All materials that are buoyant, flammable, explosive, or in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 4.02, Development Which May Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or floodproofed to the maximum extent possible.

G. Placement of Buildings and Structures

All buildings and structures shall be designed, located, and/or 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.

H. 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 prevent flotation.

I. Floors, Walls, and Ceilings

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

J. Paints and Adhesives

1. Paints or others finishes used at or below the Regulatory Flood Elevation shall be of "marine" or water-resistant quality.
2. Adhesives used at or below the Regulatory Flood Elevation shall be of a "marine" or water-resistant variety.
3. All wooden components (doors, trim, cabinets, etc.) shall be finished with a "marine" or water-resistant paint or other finishing material.

K. Electrical Components

1. Electrical distribution panels shall be at least three (3) feet above the one-hundred (100) year flood elevation.
2. Separate electrical circuits shall serve lower levels and shall be dropped from above.

L. Equipment

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

M. Fuel Supply Systems

1. 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 4.02 Development Which May Endanger Human Life

A. Within any identified floodplain area, it shall be prohibited to construct or substantially improve a structure which:

- will be used for the production or storage of any of the following dangerous materials or substances; or,
- will be used for any activity requiring the maintenance of a supply of more than 550 gallons, or other comparable volume, of any of the following dangerous materials or substances on the premises; or,
- will involve the production, storage, or use of any amount of radioactive substances.

The following list of materials and substances are considered dangerous to human life:

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.

Section 4.03 Special Requirements for Mobile Homes

A. Where permitted within any identified floodplain area, all mobile homes and additions thereto shall be:

1. 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 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:
 - a. 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.
 - b. 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 length, and four (4) additional ties per side for units less than fifty (50) feet in length.
 - c. all components of the anchoring system shall be capable of carrying a force of four thousand, eight hundred (4800) pounds.
2. elevated in accordance with the following requirements:
 - a. the stands or lots shall be elevated on compacted fill, or on pilings so that the lowest floor of the mobile home will be one and one-half (1½) feet or more above the elevation of the one hundred (100) year flood.
 - b. adequate surface drainage is provided.
 - c. adequate access for a hauler is provided.
 - d. where pilings are used for elevation, the lots shall be large enough to permit steps; pilings 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.

B. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the appropriate (Township, Borough, etc.) officials for mobile home parks.

ARTICLE V ACTIVITIES PROHIBITED IN FLOODPLAIN AREA

Section 5.00 General

The following activities shall be prohibited within any identified flood plain area:

- 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.

ARTICLE VI EXISTING STRUCTURES IN IDENTIFIED FLOODPLAIN AREAS

Section 6.00 General

Structures existing in any identified floodplain area prior to the enactment of this Ordinance may continue to remain, provided that:

- A. Any modification, alteration, reconstruction, or improvement of any kind to an existing structure, to an extent or amount of fifty (50) per cent or more of its market value, shall constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.

ARTICLE VII VARIANCES

Section 7.00 General

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

Section 7.01 Variance Procedures and Conditions

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

- A. No variance shall be granted for any of the activities prohibited in the floodplain area by Section 5.00 and Section 4.02.
- B. If granted, a variance shall involve only the least modification necessary to provide relief.
- C. In granting any variance the Township shall 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.
- D. Whenever a variance is granted, the Township shall notify the applicant in writing that:
 - 1. the granting of the variance may result in increased premium rates for flood insurance.
 - 2. such variance may increase the risk to life and property.
- E. In reviewing any request for a variance, the Township shall consider, at a minimum, the following:
 - 1. that there is good and sufficient cause.
 - 2. that failure to grant the variance would result in exceptional hardship to the applicant.
 - 3. that the granting of the variance will (i) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (ii) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- F. A complete record of all variance request 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.

ARTICLE VIII DEFINITIONS

Section 8.00 General

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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 8.01 Specific Definitions

A. Accessory use or structure - a use or structure on the same lot with the use of a structure customarily incidental and subordinate

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ORDINANCE NO. 59

The following ordinance is hereby adopted by the Board of Supervisors of South Huntingdon Township.

Whereas the General Assembly of the Commonwealth of Pennsylvania has adopted Act 68 of 1985 setting forth certain guidelines and limitations for the compensation of supervisors of townships of the second class, and

Whereas said act provides that supervisors of townships having a population of 5,000 to 9999 shall be compensated in an amount not to exceed \$2000.00, and

Whereas the population of South Huntingdon Township is 6671, and

Whereas the General Assembly by said Act 68 authorizes the boards of supervisors of the various townships of the second class to determine the compensation of supervisors subject to the limitations set forth in the act, and

Whereas it is the intention of the Board of Supervisors of South Huntingdon Township to set compensation for the supervisors on a per meeting basis and within the limitations of Act 68,

Now therefore it is hereby enacted and ordained as follows:

1. Each supervisor of South Huntingdon Township elected or appointed to office on or after November 5, 1985, shall receive compensation for attending duly advertised general or special public meetings of the board supervisors at the rate of \$80.00 for each meeting attended by such supervisor.
2. No supervisor shall receive annual compensation under this ordinance in excess of the annual statutory limit set by the General Assembly in Act 68 for supervisors of townships within the appropriate population category.
3. No supervisor shall be compensated for attending any meetings of the board of supervisors in excess of 25 meetings per year; such absences of compensation shall not negate or in any way affect such supervisor's duty or obligation to attend such uncompensated meetings.
4. Such compensation shall be paid in semi monthly installments.
5. This ordinance shall be effective January 3, 1986.

ADOPTED this 3rd day of January, 1986.

TOWNSHIP OF SOUTH HUNTINGDON
WESTMORELAND COUNTY, PENNSYLVANIA

By: Clifford Kelley
Chairman

ATTEST: Cindy Thorne
Secretary

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- M. Regulatory flood elevation - the one-hundred (100) year flood elevation plus a freeboard safety factor of one and one-half ($1\frac{1}{2}$) feet.
- N. Special permit - a special approval which is required for hospitals, nursing homes, jails, and new mobile home parks and substantial improvements to such existing parks, when such development is located in all, or a designated portion of a floodplain.
- O. 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.
- P. Subdivisions - 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 subdivision by lease of land for agricultural purposes into parcels of more than ten acres, not involving any new street or easement of access or residential dwellings shall be exempted.
- Q. Substantial improvement - any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 per cent 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.

ORDAINED AND ENACTED into law this 26th of July, 1985.

TOWNSHIP OF SOUTH HUNTINGDON
WESTMORELAND COUNTY, PA.

By: Clifford Kelley
Chairman

ATTEST: Cindy Thorne
Secretary