

ORDINANCE No 210

AN ORDINANCE OF THE BOROUGH OF MILESBURG, CENTRE COUNTY, PENNSYLVANIA, AMENDING THE FLOODPLAIN ORDINANCE NO. 190 AS RE-ENACTED MILESBURG BOROUGH CODE, SECTION 12.10, ET SEQ., BY PROHIBITING THE USE FOR CERTAIN PURPOSES OF PROPERTY LOCATED IN THE FLOODWAY DISTRICT, PROHIBITING THE STORAGE OF HAZARDOUS MATERIALS IN THE FLOODWAY DISTRICT, REDEFINING THE 100 YEAR FLOOD AND RESTRICTING THE GRANTING OF VARIANCES FOR CONSTRUCTION DEVELOPMENT WITHIN THE FLOODWAY DISTRICT.

Preamble

In order to bring the Borough of Milesburg in compliance with current Commonwealth of Pennsylvania, Department of Community Affairs' requirements for floodplain ordinances, the Borough of Milesburg hereby amends Ordinance No. 190 as codified in Milesburg Borough Code, Section 12.10, et seq., as follows:

Portions contained within brackets shall be deleted and portions underlined shall be added.

1. Section 12.10(i)(1) shall be amended as follows:

In the Floodway District, no [structural] development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying stream improvements which have been approved by all appropriate local and/or State authorities. The FW (Floodway Area) is delineated for purposes of this Ordinance using the criteria that a certain area with the floodplain 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 areas included in this area are specifically defined in the Floodway Data Table contained in the above-referenced Flood Insurance Study and shown on the accompanying Flood Boundary and Floodway Map.

2. Section 12.10(i)(1) shall be amended to include the following: (NEW)

12.10(i)(1)

C. Prohibited Uses

- (i) The placement of mobile homes except within existing mobile home parks and subdivisions.
- (ii) 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,
 - 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.

3. Section 12.23(a) shall be amended as follows:

[(a) Identification:

The identified floodplain area shall be any area of the Borough, subject to the one hundred (100) year flood, which is identified as a Special Flood Hazard Area (Zone A) on the Flood Hazard Boundary Map (FHBM) as issued by the Federal Insurance Administration date.]

(a) Identification:

For the purposes of this Ordinance, the areas considered to be floodplain within the Borough shall be those areas identified as being subject to the one-hundred (100) year flood in the Flood Insurance Study prepared for the Borough by the Federal Emergency Management Agency dated August 1976.

4. Section 12.27(b) shall be amended to include the following:

(7) No variance shall be granted for any construction, development, use or activity within any Floodway District that would cause any increase in the one hundred (100) year flood elevation.

August 4, 1986

BOROUGH OF MILESBURG

ATTEST:

Betty R. Hill
Secretary

By: *[Signature]*
President

[Signature]
Mayor