
ARTICLE 1705
Flood Proofing

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1705.005 STATUTORY AUTHORIZATION

The Legislature of the Commonwealth of Pennsylvania has, by the passage of the Pennsylvania Flood Plain Management Act of 1978, delegated the responsibility to local governmental units to adopt floodplain management regulations to promote public health, safety, and the general welfare of its citizenry. Therefore, the Council of the City of Franklin, does hereby order as follows. (Ord. 9 of 2013, Sect. 12, Passed 12-9-2013)

1705.01 DEFINITIONS

Unless specifically defined below, words and phrases used in this Article shall be interpreted so as to give them the same meaning as they have in common usage and so as to give this Article its most reasonable application:

- 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.) Base Flood: A flood that has a one percent chance of being equaled or exceeded in any given year (also called the "100-year flood").

- c.) Base Flood Elevation (BFE): The elevation shown on the Flood Insurance Rate Map (FIRM) for Zones AE, AH, A1-30 that indicates the water surface elevation resulting from a flood that has a one (1) percent or greater chance of being equaled or exceeded in any given year.
- d.) Basement: Any area of the building having its floor below ground level on all sides.
- e.) Building: A combination of materials to form a permanent structure having walls and a roof. Included shall be all mobile homes and trailers for human habitation.
- f.) 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.
- g.) Construction: The construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure including the placement of mobile homes.
- h.) Designated Flood Plain Districts: Those flood plain districts specifically designated in the City Zoning Ordinance as being inundated primarily by the One Hundred (100) Year Flood. Included would be areas identified as Floodway District (FW), Flood-Fringe District (FF), and Approximated Flood Plain District (FA).
- i.) Designated Floodway District or Area: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- j.) Development: Any man-made change to improved and unimproved real estate, including, but not limited to, the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.
- k.) 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.
- l.) Existing Manufactured Home Park or Subdivision: a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site

grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by the City of Franklin.

- m.) Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads.
- n.) Flood Insurance Rate Map (FIRM): The official map on which the Federal Emergency Management Agency or Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
- o.) Flood Insurance Study (FIS): The official report provided by the Federal Emergency Management Agency that includes flood profiles, the Flood Insurance Rate Map, the Flood Boundary and Floodway Map, and the water surface elevation of the base flood.
- p.) 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 improve real property, water and sanitary facilities, structures, and their contents.
- q.) Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- r.) Historic Structure: Any structure that is:
 - 1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
 - 2. 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;
 - 3. Individually listed on a state inventory of historic places in states which have been approved by the Secretary of the Interior; or
 - 4. Individually listed on a local inventory of historic places in communities with historic preservation that have been certified either:

- a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.
- s.) **Lowest Floor:** The lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this ordinance.
- t.) **Manufactured home:** A structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles that are placed on a site for more than 180 consecutive days.
- u.) **Manufactured Home Park or Subdivision:** A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
- v.) **Minor Repair:** For 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.
- w.) **New Construction:** Structures for which the start of construction commenced on or after the effective date of this ordinance, and includes any subsequent improvements to such structures. Any construction started after September 29, 1978, and before the effective date of this ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
- x.) **New Manufactured Home Park or Subdivision:** A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the floodplain management regulations adopted by the City of Franklin.
- y.) **Obstructions:** Any wall, way, 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 designated flood plain districts, 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 that is placed where the flow of the water might carry the same downstream to the damage of life and property.

- z.) 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). This is more precisely defined/delineated in the City Zoning Ordinance.
- aa.) Person: Any person, persons, partnership, business or corporation.
- bb.) Recreational Vehicle: A vehicle which is:
 - 1. Built on a single chassis;
 - 2. Not more than 400 square feet, measured at the largest horizontal projections;
 - 3. Designed to be self-propelled or permanently towable by a light-duty truck; and
 - 4. Not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- cc.) Regulatory Flood Elevation: The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1-1/2) feet.
- dd.) Special Flood Hazard Area (SFHA): Means an area in the floodplain subject to a one (1) percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone A, AO, A1-A30, AE, A99, or AH.
- ee.) Start of Construction: Includes substantial improvement and other proposed new development and means the date the permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first

alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building, whether or not that alteration affects the external dimensions of the building.

- ff.) Structure: A walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.
- gg.) Substantial Damage: Damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred.
- hh.) Substantial Improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures that have incurred “substantial damage” or repetitive loss” regardless of the actual repair work performed. The term does not, however, include 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.
- ii.) Violation: Means the failure of a structure or other development to be fully compliant with the community’s flood plain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in 44 CFR §60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

(Ord. 8 of 1974, Art. 5, Sects. 5.00 and 5.01,
Passed 6-21-74; Ord. 13 of 1978, Sect. 1, Passed
9-25-78; Ord. 9, Sect. 13-14, Passed 12-9-2013)

1705.02 STATEMENT OF INTENT

The intent of this Article is to:

- a.) Promote the general health, welfare and safety of the community;
- b.) Encourage the utilization of appropriate engineering design and construction practices to minimize flood damage in the future;
- c.) To minimize danger to the public health by protecting potable water and supply and natural drainage.

(Ord. 8 of 1974, Art. 1, Sect. 1.00, Passed 6-21-74)

1705.03 APPLICABILITY

It shall be unlawful for any person, partnership, business or corporation to undertake or cause to be undertaken the construction, reconstruction, enlargement, alteration or relocation of any building or structure or to undertake any development of land located in a Designated Flood Plain District unless an approved building permit has been obtained from the Code Enforcement Officer of the City of Franklin. (Ord. 18 of 1978, Sect. 1, Passed 11-6-78)

1705.04 ABROGATION AND GREATER RESTRICTIONS

This Article supersedes any provisions currently in effect in Designated Flood Plain Districts. However, any underlying ordinance shall remain in full force and effect to the extent that those provisions are more restrictive. (Ord. 8 of 1974, Art. 1, Sect. 1.02, Passed 6-21-74; Ord. 13 of 1978, Sect. 4, Passed 9-25-78)

1705.05 MUNICIPAL LIABILITY

The grant of a permit or approval of a subdivision plan in the Designated Flood Plain Districts shall not constitute representation, guarantee, or warranty of any kind by the City of Franklin or by any official or employee thereof of the practicability or safety of the proposed uses, and shall create no liability upon the City of Franklin, its officials and employees. (Ord. 8 of 1974, Art. 1, Sect. 1.04, Passed 6-21-74; Ord. 13 of 1978, Sect. 5, Passed 9-25-78)

1705.06 BOUNDARY DISPUTES

Should a dispute concerning any district boundary arise, an initial determination shall be made by the Planning and Zoning Commission and any party aggrieved by this decision may appeal to City Council. The burden of proof shall be on the appellant. (Ord. 8 of 1974, Art. 3, Sect. 3.02, Passed 6-21-74; Ord. 13 of 1978, Sect. 6, Passed 9-25-78)

1705.07 APPLICATION INFORMATION

- a.) The Code Enforcement Officer of the City of Franklin is hereby appointed to administer and enforce this Ordinance and is referred to herein as the Floodplain Administrator.
- b.) The Floodplain Administrator shall have the following duties and responsibilities:
 1. The Floodplain Administrator shall issue a 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.
 2. During the construction period, the Floodplain Administrator 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 municipal laws and ordinances.

He/she shall make as many inspections during and upon completion of the work as are necessary.

3. In the discharge of his/her duties, the Floodplain Administrator shall have the authority to enter any building, structure, premises or development in the identified floodplain area, upon presentation of proper credentials, at any reasonable hour to enforce the provisions of this ordinance.
 4. In the event the Floodplain Administrator 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 Floodplain Administrator shall revoke the permit and report such fact to the City Manager for whatever action he/she considers necessary.
 5. The Floodplain Administrator shall maintain all records associated with the requirements of this ordinance including, but not limited to, permitting, inspection and enforcement.
 6. The Floodplain Administrator shall consider the requirements of Chapter 34 of The Pennsylvania Code and the 2009 International Building Code and the 2009 International Residential Code, or latest revisions thereof.
- c.) Application for a permit shall be made, in writing, to the Floodplain Administrator on forms supplied by the City of Franklin. 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, including address.
 5. Listing of other permits required.
 6. Brief description of proposed work and estimated cost, including a breakout of the flood-related cost and the market value of the building before the flood damage occurred where appropriate.
 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.

- d.) If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for permits shall provide all the necessary information in sufficient detail and clarity to enable the Floodplain Administrator to determine that:
1. 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;
 2. All utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage;
 3. Adequate drainage is provided so as to reduce exposure to flood hazards;
 4. Structures will be anchored to prevent floatation, collapse, or lateral movement;
 5. Building materials are flood-resistant;
 6. Appropriate practices that minimize flood damage have been used; and
 7. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities have been designed and/or located to prevent water entry or accumulation.
- e.) Applicants shall file the following minimum information plus any other pertinent information as may be required by the Floodplain Administrator to make the above determination:
1. A completed 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) The location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and development;

- (d) The location of all existing streets, drives, and other access ways; and
 - (e) 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 North American Vertical Datum of 1988;
 - (b) The elevation of the base flood; and
 - (c) Supplemental information as may be necessary under Chapter 34 of The Pennsylvania Code and the 2009 International Building Code and the 2009 International Residential Code, or latest revisions thereof.
4. The following data and documentation:
- (a) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood;
 - (b) Detailed information concerning and proposed floodproofing measures and corresponding elevations;
 - (c) Documentation, certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within a Flood-Fringe District (FF) when combined with all other existing and anticipated development, will not increase the base flood elevation more than one (1) foot at any point;
 - (d) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the base flood elevation;
 - (e) Such statement shall include a description of the type and extent of flood proofing measures that have been incorporated into the design of the structure and/or the development;

- (f) Detailed information needed to determine compliance with Section 1705.22, Storage, and Section 1314.06, District Provisions, including:
 - (i.) The amount, location and purpose of any materials or substances referred to in Sections 1705.22 and 1314.06, which are intended to be used, produced, stored or otherwise maintained on site; and
 - (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 1314.06 during a base flood;
 - (iii.) The appropriate component of the Department of Environmental Protection's "Planning Module for Land Development"; and
 - (iv.) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.
- (g) Applications for permits shall be accompanied by a fee, payable to the City of Franklin based upon the estimated cost of the proposed construction as determined by the Floodplain Administrator.

(Ord. 8 of 1974, Art. 2, Sect. 2.00, Passed 6-21-74; Ord. 13 of 1978, Sect. 7, Passed 9-25-78; Ord. 18 of 1978, Sect. 2, Passed 11-6-78; Ord. 9 of 2013, Sect. 15, Passed 12-9-2013)

1705.08 REVIEW OF APPLICATIONS

- a.) A copy of all applications and plans for new construction in the Designated Flood Plain District to be considered for approval shall be submitted by the Code Enforcement Officer to the County Conservation District for review and comment prior to the issuance of a building permit. The recommendation of the Conservation District shall be considered by the Code Enforcement Officer for possible incorporation into the proposed plan.

- b.) A copy of all plans and applications for new construction in the Designated flood Plain District to be considered for approval may be submitted by the Code Enforcement Officer to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

(Ord. 8 of 1974, Art. 2, Sects. 2.01 and 2.02,
Passed 6-21-74; Ord. 13 of 1978, Sect. 8, Passed
9-25-78)

1705.09 OTHER PERMIT ISSUANCE REQUIREMENTS

Prior to the issuance of any permit, the Floodplain Administrator shall review the application for the permit to determine if all other necessary governmental permits required by State and Federal laws have been obtained, such as those required by Pennsylvania Sewage Facilities Act (Act 1966-537, as amended), the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended), the Pennsylvania Clean Streams Act (Act 1937-394, as amended), and the U.S. Clean Water Act, Section 404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made. (Ord. 13 of 1978, Sect. 10, Passed 9-25-78; Ord. 9 of 2013, Sect. 16, Passed 12-9-2013)

1705.10 VARIANCES

- a.) If compliance with the elevation or floodproofing requirements stated above would result in an exceptional hardship for a prospective builder, developer or landowner, the City may, upon request, grant relief from the strict application of the requirement.
- b.) Request for variances to the strict application of the provisions of this Ordinance may be granted by the City in accordance with the following procedures and criteria:
 - 1.) No variances shall be granted for any construction, development, use or activity within the Flood-Fringe District (FF) that would, together with all other existing and anticipated development, increase the BFE more than one (1) foot at any point. (Ord. 9 of 2013, Sect. 17, Passed 12-9-2013)
 - 2.) If granted, a variance shall involve only the least modification necessary to provide relief.
 - 3.) In granting any variance, the City 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.
 - 4.) Whenever a variance is granted, the City 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 risks to life and property.
- 5.) In reviewing any request for a variance, the City 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 any unacceptable or prohibited increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on, or victimization of the public, or conflict with any other applicable local or State ordinances or regulations.
- 6.) A complete record of all variance requests and related actions shall be maintained by the City. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.
- c.) Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capacity of resisting the hydrostatic and hydrodynamic loads and pressures, and effects of buoyancy of the One Hundred (100) Year Flood.

(Ord. 13 of 1978, Sect. 11, Passed 9-25-78)

1705.11 EXISTING STRUCTURES IN DESIGNATED FLOOD PLAIN DISTRICTS

Structures existing in any Designated Flood Plain Districts prior to the enactment of this Ordinance, but which are not in compliance with these provisions, may continue to remain subject to the following:

- a.) Existing structures located in a Designated Floodway District or 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.
- b.) 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.

- c.) 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 Article.

(Ord. 13 of 1978, Sect. 12, Passed 9-25-78)

1705.12 PLACEMENT OF BUILDINGS AND STRUCTURES

- a.) All buildings and structures shall be designed, constructed and placed on the lot so as to offer the minimum obstruction to the flow of water.
- b.) The following shall not be placed or caused to be placed in identified flood-prone areas: fences, except two-wire fences, other structures or other matter which may impede, retard or change the direction of the flow of water, or that will catch or collect debris carried by such water, or that is placed where the natural flow of the stream or flood waters would carry the same downstream to the damage or detriment of either public or private property adjacent to the Designated Flood Plain District.

(Ord. 8 of 1974, Art. 4, Sect, 4.03, Passed 6-21-74; Ord. 13 of 1978, Sect. 13, Passed 9-27-78)

1705.13 START OF CONSTRUCTION

Work on the proposed construction or development shall begin within 180 days of the date of issuance of the development permit. Work shall also be completed within twelve (12) months after the date of issuance of the permit or the permit shall expire, unless a time extension is granted, in writing, by the Floodplain Administrator. The issuance of a development permit does not refer to the zoning approval.

The actual start of the construction means either the first placement of permanent construction of a structure on a site, such as the pouring of slapper footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Time extension shall be granted only if a written request is submitted by the applicant, who sets forth sufficient and reasonable cause for the Floodplain Administrator to

approve such a request and the original permit is compliant with the ordinance and FIRM/FIS in effect at the time the extension is granted.
(Ord. 9 of 2013, Sect. 18, Passed 12-9-2013)

1705.14 GENERAL REQUIREMENTS

In the Designated Flood Plain Districts, the development and/or use of any land shall be permitted provided that the development and/or use adheres to the restrictions and requirements of all other applicable codes and ordinances in force in the City of Franklin.
(Ord. 8 of 1974, Art. 4, Sect. 4.00, Passed 6-21-74; Ord. 13 of 1978, Sect. 15, Passed 9-25-78)

1705.15 LOWEST FLOOR REQUIREMENTS

In order to prevent excessive damage to buildings and structures due to flood conditions, the following provisions shall apply to all proposed construction or development activity in any of the Floodplain Districts designated in the Zoning Ordinance of the City of Franklin, as amended:

A. Residential Structures

1. In AE, A1-30, and AH Zones, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation.
2. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation determined in accordance with Section 1314.05 a.) 3.) of the Zoning Ordinance of the City of Franklin.
3. In AO Zones, any new construction or substantial improvement shall have the lowest floor (including basement) at or above the highest adjacent grade at least as high as the depth number specified on the FIRM.
4. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code (Chapters 401-405 as amended) shall be utilized, where they are more restrictive.

B. Non-Residential Structures

1. In AE, A1-30 and AH Zones, any new construction or substantial improvement of a non-residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation, or be designed and constructed so that the space enclosed below the regulatory flood elevation:
 - (a) is floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water; and
 - (b) has structural components with the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
2. In A Zones, where there are no Base Flood Elevations specified on the FIRM, any new construction or substantial improvement shall have the lowest floor (including basement) elevated or completely floodproofed up to, or above, the regulatory flood elevation determined in accordance with Section 1314.05 a.) 3.) of the Zoning Ordinance of the City of Franklin.
3. In AO Zones, any new construction or substantial improvement shall have their lowest floor elevated or completely floodproofed above the highest adjacent grade to at least as high as the depth number specified on the FIRM.
4. Any non-residential structure, or part thereof, made watertight below the regulatory flood elevation shall be floodproofed in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations" published by the U.S. Army Corps of Engineers (June 1972, as amended March 1992) or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above-referenced standards.
5. The design and construction standards and specifications contained in the 2009 International Building Code (IBC) and in the 2009 International Residential Code (IRC) or the most recent revisions thereof and ASCE 24 and 34 PA Code shall be utilized, where they are more restrictive.

C. Space Below the Lowest Floor

1. Fully enclosed space below the lowest floor (excluding basements) which will be used solely for the parking of a vehicle, building access, or

incidental storage in an area other than a basement, shall be designed and constructed to allow for the automatic entry and exit of flood waters for the purpose of equalizing hydrostatic forces on exterior walls. The term "fully enclosed space" also includes crawl spaces.

2. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - (a) A minimum of two openings have a net total area of not less than one (1) square inch for every square foot of enclosed space;
 - (b) The bottom of all openings shall be no higher than one (1) foot above grade;
 - (c) Openings may be equipped with screens, louvers, etc., or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(Ord. 13 of 1978, Sect. 16, Passed 9-25-78;
Ord.18 of 1978, Sect. 3, Passed 11-6-78; Ord. 9 of 2013,
Sect. 19, Passed 12-9-2013)

1705.16 FILL

- a.) All fill shall extend laterally fifteen (15) feet beyond the building line from all points unless substantiating engineering data is provided to affect smaller limits.
- b.) All fill shall consist of soil and/or small rock material only. The fill material shall be compacted to provide the necessary permeability and resistance to erosion and scouring.
- c.) Fill slopes shall be no steeper than one (1) vertical unit to two (2) horizontal units, unless substantiating engineering data justifying steeper slopes are submitted and approved by the Municipal Code Enforcement Officer and/or the City Engineer.
- d.) Fill shall be permitted only to the extent to which it does not adversely affect adjacent properties.

(Ord. 8 of 1974, Art. 4, Sect. 4.01, Passed
6-21-74; Ord. 13 of 1978, Sect. 17, Passed
9-24-78)

1705.17 ANCHORING

- a.) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
- b.) 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.

(Ord. 13 of 1978, Sect. 18, Passed 9-35-78; Ord. 9 of 2013, Sect. 20, Passed 12-09-2013)

1705.18 FLOORS, WALLS AND CEILINGS

Where located at or below the Regulatory Flood Elevation:

- a.) Wood flooring shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain, without incurring structural damage to the building.
- b.) Plywood shall be of any "exterior" or "marine" grade and of a water-resistant or waterproof variety.
- c.) Walls and ceilings in non-residential structures shall have sufficient wet strength and be so installed as to survive inundation.
- d.) Window frames, door frames, door jambs and other components shall be made of metal or other water-resistant material.

(Ord. 13 of 1978, Sect. 19, Passed 9-25-78)

1705.19 ELECTRICAL SYSTEMS

- a.) All electric water heaters, electric furnaces, electric air conditioning and ventilating systems, and other electrical equipment or apparatus shall be permitted only at elevations above the Regulatory Flood Elevation.
- b.) No electrical distribution panels shall be allowed at an elevation less than three (3) feet above the level of the One Hundred (100) Year Flood Elevation.
- c.) Separate electrical circuits shall serve lower levels and shall be dropped from above.

(Ord. 13 of 1978, Sect. 20, Passed 9-25-78)

1705.20 PLUMBING

- a.) Water heaters, furnaces and other mechanical equipment or apparatus shall be permitted only at elevations above the Regulatory Flood Elevation.

- b.) No part of any on-site sewage disposal system shall be constructed within any Designated Flood Plain District.
- c.) Water supply systems and sanitary sewage systems shall be designed to preclude infiltration of flood waters into the systems and discharges from the system into flood waters.
- d.) All gas and oil supply systems shall be designed to preclude the infiltration of flood waters into the systems and discharges from the systems into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

(Ord. 13 of 1978, Sect. 21, Passed 9-25-78)

1705.21 PAINTS AND ADHESIVES

Where located at or below the Regulatory Flood Elevation (100 Year Flood + 1-1/2 feet):

- a.) Adhesives shall have a bonding strength that is unaffected by inundation (i.e., "marine" or water-resistant quality).
- b.) All wooden components (doors, trim, cabinets, etc.) shall be sealed with a "marine" or water-resistant quality or similar product.
- c.) Paints or other finishes shall be capable of surviving inundation (i.e. "marine" or water-resistant quality).

(Ord. 13 of 1978, Sect. 22, Passed 9-25-78)

1705.22 STORAGE

No materials that are buoyant, flammable, explosive or in time of flooding could be injurious to human, animal or plant life, shall be stored in a Regulatory Flood Elevation area unless they are properly anchored and/or floodproofed to preclude their causing damage to life and property. (Ord. 8 of 1974, Art. 4, Sect. 4.08, Passed 6-21-74; Ord. 13 of 1978, Sect. 23, Passed 9-25-78)

1705.23 DRAINAGE FACILITIES

Storm drainage facilities shall be designed to convey the flow of surface waters without damage to persons or property. 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. (Ord. 13 of 1978, Sect. 24, Passed 9-25-78)

1705.24 WATER AND SANITARY SEWER FACILITIES AND SYSTEMS

- a.) All new or replacement water supply and sanitary sewer facilities and systems shall be located, designed, and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
- b.) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
- c.) No part of any on-site waste disposal 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.) The design and construction provisions of the Uniform Construction Code (UCC) and FEMA #348, "Protecting Building Utilities From Flood Damages" and "The International Private Sewage Disposal Code" shall be utilized.

(Ord. 9 of 2013, Sect. 21, Passed 12-9-2013)

1705.25 SPECIAL FLOOD DAMAGE CONTROL PROVISIONS FOR MANUFACTURED HOMES, MANUFACTURED HOME PARKS, AND RECREATIONAL VEHICLES IN THE DESIGNATED FLOOD PLAIN DISTRICTS

All manufactured 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 as specified in the Standard for the Installation of Manufactured Homes, including Manufactured Home Park Requirements (NEPA No. 501A-1974 [ANSI A119.3-1975]) as amended, for Manufactured 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 manufactured 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 manufactured 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.
- d.) All manufactured homes and any additions thereto shall also be elevated so that the lowest floor of the manufactured home is at least one and one half (1-1/2) feet above base flood elevation 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.

(Ord. 9 of 2013, Sect. 24, Passed 12-9-2013)

- e.) An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the appropriate City officials for manufactured home parks and manufactured home subdivisions where appropriate.
- f.) No manufactured homes shall be placed in any Designated Floodway District or area.
- g.) Within any Identified Floodplain Area, recreational vehicles shall be prohibited. If, however, a variance is obtained in accordance with the City of Franklin Zoning Ordinance, or a permit is obtained under any other section allowed in the Codified Ordinances of the City of Franklin, recreational vehicles in Zones A, A1-30, AH, and AE must either:
 - 1.) Be on the site for fewer than 180 consecutive days; and
 - 2.) Be fully licensed and ready for highway use; or
 - 3.) Meet the permit requirements for manufactured homes set forth in this section.

(Ord. 13 of 1978, Sect. 27, Passed 9-25-78; Ord. 9 of 2013, Sects. 23-25, Passed 12-9-2013)