

**FLOODPLAIN**

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**FLOODPLAIN ORDINANCE  
OF  
MANHEIM TOWNSHIP – 2015**

**AN ORDINANCE ESTABLISHING RULES, REGULATIONS AND  
STANDARDS, GOVERNING FLOODPLAINS WITHIN THE TOWNSHIP  
OF MANHEIM, SETTING FORTH THE PROCEDURES TO BE  
FOLLOWED BY THE OFFICIALS OF THE TOWNSHIP IN APPLYING  
AND ADMINISTERING THESE RULES, REGULATIONS AND  
STANDARDS AND PROVIDING PENALTIES FOR THE VIOLATION  
THEREOF.**

**BE AND HEREBY ORDAINED AND ENACTED** by the Board of  
**COMMISSIONERS** of Manheim TOWNSHIP, Lancaster County,  
Pennsylvania as follows:

**ARTICLE I. GENERAL PROVISIONS**

**SECTION 101. TITLE**

This ORDINANCE shall be known and shall be cited as "The FLOODPLAIN ORDINANCE of Manheim TOWNSHIP, as amended".

**SECTION 102. PURPOSE**

The FLOODPLAIN regulations are enacted to reflect the policy goals of Manheim TOWNSHIP, as set forth in the Manheim TOWNSHIP COMPREHENSIVE PLAN. The FLOODPLAIN regulations are enacted for the following purposes.

1. To promote, protect, and facilitate the public health, safety, morals and general welfare of the residents of the TOWNSHIP.
2. To control accelerated RUNOFF and EROSION and sedimentation problems at their source by regulating activities which cause such problems.
3. To utilize and preserve the desirable existing natural drainage systems within the TOWNSHIP.
4. To maintain the existing flows and quality of WATERCOURSES in the TOWNSHIP and Commonwealth of Pennsylvania.
5. To preserve and restore the FLOOD carrying capacity of WATERCOURSES.

6. To regulate uses, activities, and DEVELOPMENT which, acting alone or in combination with other existing or future uses, activities, and DEVELOPMENT, will cause unacceptable increases in FLOOD heights, velocities and frequencies.
7. To restrict or prohibit certain uses, activities and DEVELOPMENTS that do occur in FLOOD-prone AREAS to be protected or FLOODPROOFED against FLOODING and FLOOD damage.
8. To protect individuals from buying lands and STRUCTURES which are unsuited for intended purposes because of FLOOD hazards.

### **SECTION 103. ENACTMENT AUTHORITY AND RELATIONSHIP TO ZONING ORDINANCE**

1. This ORDINANCE is enacted under the authority of the Flood Plain Management Act, of October 4, 1978, P.L. 851, No. 166, as amended, 32 P.S. §679.101 et seq., and the Pennsylvania MUNICIPALITIES PLANNING CODE (MPC), Act of July 31, 1968, P.L. 805, No. 247, as amended and reenacted, 53 P.S. §10101 et seq.
2. This ORDINANCE shall be considered a supplement to the Zoning Ordinance of Manheim Township, as amended, and shall incorporate all provisions of the Zoning Ordinance which are not expressly varied by the specific terms and requirements of this ORDINANCE, including but not limited to the provisions of the Zoning Ordinance governing permits, administration, enforcement and remedies.

### **SECTION 104. COMPATIBILITY WITH PERMITS AND OTHER PROVISIONS**

Approvals issued pursuant to this ORDINANCE do not relieve the applicant of the responsibility to secure required permits or approvals for activities regulated by any other applicable code, rule, act or ordinance. If more stringent requirements concerning regulation of the ONE-HUNDRED (100) YEAR FLOODPLAIN are contained in these permits or approvals, the more stringent regulation shall apply.

### **SECTION 105. SEVERABILITY**

The provisions of this ORDINANCE are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, any such decision of such court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this ORDINANCE; and it is hereby declared to be the intention of the COMMISSIONERS that this ORDINANCE would have been enacted as if such illegal, invalid or unconstitutional section, sentence, clause, part of provision had not been included herein.

## **SECTION 106. MUNICIPAL LIABILITY**

The granting of a permit or the making of any other administrative decision under this ORDINANCE, shall not constitute a representation, guarantee, or warranty of any kind by Manheim TOWNSHIP or by any official, agent, or employee thereof, of the practicability or safety of any STRUCTURE, use, or other plan proposed with respect to damage from FLOOD or otherwise, and shall create no liability upon, or a cause of action against, such public body, official, agent or employee for any FLOOD damage that may result pursuant thereto or as a result of reliance on this ORDINANCE. There is also no assurance that lands not included in the FLOODPLAIN Zone are now or ever will be free from FLOODING or FLOOD damage.

## **SECTION 107. REPEALS AND CONTINUATION OF PRIOR REGULATIONS**

Except as otherwise required by this ORDINANCE, it is intended as a continuation of, and not a repeal of, existing regulations governing the subject matter. To the extent that this ORDINANCE restates regulations contained in ordinances previously enacted by the COMMISSIONERS, this ORDINANCE shall be considered a restatement and not a repeal of such regulations. It is the specific intent of the COMMISSIONERS that all provisions of this ORDINANCE shall be considered in full force and effect as of the date such regulations were initially enacted. All ordinances or parts of ordinances inconsistent with the provisions of this ORDINANCE are hereby repealed. It is expressly provided that the provisions of this ORDINANCE shall not affect any act done, contract executed, or liability incurred prior to its effective date, or affect any suit or prosecution pending or to be instituted to enforce any rights, rules, regulations, or ordinances, or part thereof, or to punish any VIOLATION which occurred under any prior regulation or ordinance. In the event any VIOLATION has occurred under any prior ordinance governing the subject matter, prosecution may be initiated against the alleged offender pursuant to the provisions of said prior ordinance, and the provisions and penalties provided in said ordinance shall remain effective as to such VIOLATION.

**ARTICLE II. TERMINOLOGY**

**SECTION 201. INTERPRETATION AND WORD USAGE**

1. Unless otherwise stated, the following words and phrases shall be interpreted and construed throughout this ORDINANCE to have the meaning herein indicated. Terms not herein defined and defined in the Subdivision and Land DEVELOPMENT Ordinance, Zoning Ordinance, or STORMWATER MANAGEMENT Ordinance shall have the meanings assigned in such ordinances.
2. The following rules of CONSTRUCTION and interpretation shall be used in this ORDINANCE.
  - A. Words in the present tense may imply the future tense.
  - B. Words used in singular imply the plural, and the plural shall include the singular.
  - C. The masculine gender includes the feminine and the neuter genders.
  - D. The word “person” includes a partnership, firm, association, corporation, organization, trust, estate, company or any other legally recognized entity as well as an individual and the officers of any corporation and the members of any partnership and shall include both singular and plural.
  - E. The word “shall” or “must” is to be interpreted as mandatory; the word “may” is discretionary.
  - F. References to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies or officials are to codes, ordinances, resolutions, plans, maps, governmental bodies, commissions or agencies or officials of the TOWNSHIP or the Commonwealth of Pennsylvania as in effect or office from time to time including amendments thereto or revisions or successors thereof, unless the text indicates another reference is intended.
  - G. Terms not defined in this ORDINANCE, in such other ordinances, or in § 107 of the MPC shall have the meaning assigned to them in the most recent edition of Merriam-Webster’s Collegiate Dictionary.

**SECTION 202. SPECIFIC WORDS AND PHRASES**

Unless otherwise stated, the following words and phrases shall be interpreted and construed throughout this ORDINANCE to have the meaning herein indicated.

ACCESS DRIVE - A private drive providing pedestrian and vehicular access between a public or private street and a PARKING AREA(S) within a land DEVELOPMENT and any DRIVEWAY servicing two or more units of occupancy on a single lot or contiguous lots. The

ACCESS DRIVE is not intended to include any portion of the travel lane abutting PARKING AREAS.

ACT - The Flood Plain Management Act, Act of October 4, 1978, P.L. 851, No. 166, as amended, 32 P.S. §679.101 et. seq., and all regulations promulgated thereunder.

AGRICULTURE - The tilling of the soil, the raising of crops, forestry, horticulture, and gardening, including the keeping or raising of livestock including the sale of crops and agricultural, dairy and horticultural farm products incidental to the operation of a farm.

APPROVED - Approved by the recognized authoritative agency or official as specified in the respective regulations.

AREA - The extent of surface contained within the boundaries or extremities of land or BUILDING.

BASEMENT - That portion of a BUILDING that is partly or completely below GRADE.

BASE FLOOD - A FLOOD which has a one percent chance of being equaled or exceeded in any given year. See also ONE-HUNDRED (100) YEAR FLOOD.

BASE FLOOD ELEVATION (BFE) - The elevation shown on the FLOOD INSURANCE RATE MAP (FIRM) for Zones AE and AH 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.

BIKE PATH - A PATHWAY that is exclusively used by bicyclists, where a separate, parallel path is provided for pedestrians and other wheeled users. Most PATHWAYS are shared between bicyclists and other users. See also PATHWAYS.

BRIDGE - An enclosed water carrying STRUCTURE of one (1) or more openings having a combined span of eight (8) feet or greater.

BUILDING - Any STRUCTURE used for a resident, business, industry, or other public or private purpose, or accessory thereto, and including porches, greenhouses, stables, garages, roadside stands, MOBILE HOMES and similar STRUCTURES, whether stationary or movable, but excluding fences and walls which are part of the landscaping, signs and awnings.

CHANNEL - A natural or artificial WATERCOURSE with a definite bed and banks which confine and conduct continuously or periodically flowing water.

COMMISSIONERS - The Board of Commissioners of the TOWNSHIP of Manheim, Lancaster County, Pennsylvania.

**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. [Added 6-27-2005 by Ord. No. 2005-17].

**COMPREHENSIVE PLAN** - The Comprehensive Plan for Manheim Township March 2010, and any amendments thereto, indicating the general locations recommended for circulation facilities, community IMPROVEMENTS and land uses.

**CONSERVATION PLAN** - A plan for AGRICULTURE land that includes maps and narrative and includes at a minimum an EROSION and Sedimentation Control Plan as required by Chapter 102 of DEP regulations and APPROVED by the Lancaster County Conservation District.

**CONSTRUCTION** - The Construction, reconstruction, renovation, repair, extension, expansion, alteration, or relocation of a BUILDING or STRUCTURE, including the placement of MOBILE HOMES.

**CULVERT** - An enclosed water carrying STRUCTURE of one (1) or more openings having a combined span including spacing between openings equal to or less than twenty (20) feet.

**DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT OF THE COMMONWEALTH OF PENNSYLVANIA (DCED)** - The Department of Community and Economic Development of the Commonwealth of Pennsylvania or any agency successor thereto.

**DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (DHUD)** – The Department of Housing and Urban Development or any agency successor thereto.

**DEVELOPER** - Any LANDOWNER, agent of such LANDOWNER or tenant with the permission of such LANDOWNER, who makes or causes to be made a subdivision of land or a land DEVELOPMENT, or other activities covered by this ORDINANCE.

**DEVELOPMENT** - Any man-made change to improved or unimproved real estate including but not limited to BUILDINGS or other STRUCTURES, mining, dredging, filling, grading, paving, excavation, or drilling operations, and the storage of material or equipment. This includes redevelopment.

**DRIVEWAY** - An improved private cartway designed and constructed to provide vehicular and pedestrian movement between a public or private road and a tract of land.

**DWELLING** - A BUILDING permanently erected on and attached to a foundation, having a fixed location on the ground, and used for residential occupancy, which BUILDING when so erected and attached, shall, in the normal frame of referenced, be immobile. Hospitals, hotels, boarding, rooming and lodging houses, institutional homes, motels, tourist courts, and the like, offering overnight accommodations for guests or patients, shall not be considered DWELLINGS within the meaning of this ORDINANCE. In addition, in order to qualify as a DWELLING, all of the following standards and conditions must be complied with:

- A. The foundation for the DWELLING shall be an entire perimeter wall, either of concrete or masonry CONSTRUCTION, extending from below the frost line to the underside of the DWELLING;
- B. The DWELLING must be attached to the foundation wall by anchor bolts or similar attachments APPROVED by the TOWNSHIP as contrasted with the mere setting of the DWELLING unit on the foundation wall system;
- C. In the event the DWELLING formerly was a MOBILE HOME as defined herein, the entire running gear, as contrasted with just the wheels, must be removed, and;
- D. Any towing hitch must be removed from the DWELLING.

ENGINEER - A professional ENGINEER registered in the Commonwealth of Pennsylvania.

EROSION - The natural process by which the surface of the land is worn away by water, wind or chemical action.

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. [Added 6-27-2005 by Ord. No. 2005-17].

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) - The United States Federal Emergency Management Agency or any agency successor thereto.

FILL - Material placed or deposited so as to form an embankment or raise the surface elevation of the land, including but not limited to levees, bulkheads, dikes, jetties, embankments, and causeways.

FLOOD, FLOODED, OR FLOODING - A general and temporary condition of partial or complete inundation of normally dry land AREAS from the overflow of a WATERCOURSE or other body of surface water, or from the unusual and rapid accumulation or RUNOFF of surface waters from any source.

FLOOD INSURANCE RATE MAP (FIRM) - The official map on which the FEDERAL EMERGENCY MANAGEMENT AGENCY has delineated both the AREAS of SPECIAL FLOOD HAZARDS and the risk premium zones applicable to the community.

FLOOD INSURANCE STUDY (FIS) - The official report provided by the FEDERAL EMERGENCY MANAGEMENT AGENCY that includes FLOOD profiles, the FLOOD INSURANCE RATE MAP (FIRM), the FLOOD Boundary and FLOODWAY map, and the water surface elevation of the BASE FLOOD.

FLOODPLAIN - An AREA of land adjacent to the CHANNEL of a WATERCOURSE which has been or is likely to be FLOODED, or any AREA subject to the unusual and rapid accumulation or RUNOFF of surface waters from any source, or as defined by FEMA.



**FLOODPROOF, FLOODPROOFED, OR FLOODPROOFING** - Any combination of structural and nonstructural provisions, additions, changes or adjustments to **STRUCTURES** or contents which are designed or adapted primarily to reduce or eliminate **FLOOD** damage to those **STRUCTURES** or contents.

**FLOODWAY** - FEMA regulated term within a **CHANNEL** of a river or other **WATERCOURSE** and the adjacent land **AREAS** that must be reserved per FEMA regulations in order to discharge the **BASE FLOOD** without cumulatively increasing the water surface elevation more than one (1) foot.

**GRADE** - A reference plane representing the average of finished ground level adjoining the **BUILDING** at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the **AREA** between the **BUILDING** and the lot line or, when the lot line is more than six (6) feet from the **BUILDING**, between the **BUILDING** and a point six (6) feet from the **BUILDING**. Also, the slope of a road **CHANNEL** or natural ground specified in percent and shown on plans as specified herein.

**GROUNDWATER RECHARGE** - The process by which water from above the ground surface is added to the saturated zone of an aquifer, either directly or indirectly.

**HAZARDOUS MATERIAL** - Materials which are identified and listed in the Code of Federal Regulations, Title 40, Part 261, latest edition, and **RADIOACTIVE MATERIAL**. Also included are floatable materials with the potential to cause physical damage, such as logs, storage tanks and large containers.

**HISTORIC STRUCTURE** - Any **STRUCTURE** that is:

- A. 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;
- B. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs which have been **APPROVED** by the Secretary of Interior; or
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - (1) By an **APPROVED** state program as determined by the Secretary of the Interior or
  - (2) Directly by the Secretary of the Interior in states without **APPROVED** programs.

**IMPROVEMENT** - Physical changes to the land, including, but not limited to **BUILDINGS**, **STRUCTURES**, grading, paving, curbs, gutters, **STORM SEWERS** and drains, **IMPROVEMENTS** to existing **WATERCOURSES**, sidewalks, street, signs, monuments, water supply facilities and sewage disposal facilities.

**LANDOWNER** - The legal, beneficial or equitable owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if authorized under the lease to exercise the rights of the **LANDOWNER**, or other persons having a proprietary interest in land.

**LOWEST FLOOR** - The **LOWEST FLOOR** of the lowest enclosed **AREA** (including **BASEMENT**). An unfinished or **FLOOD** resistant enclosure usable solely for parking of vehicles, **BUILDING** access or storage in an **AREA** other than a **BASEMENT AREA** is not considered a **BUILDING**'s **LOWEST FLOOR**, provided that such enclosure is not built so as to render the **STRUCTURE**, in **VIOLATION** of the applicable nonelevation design requirements of this **ORDINANCE**.

**MANUFACTURED HOME** - A fully pre-fabricated transportable, single-family detached **DWELLING** unit intended for household occupancy contained in one (1) or more units designed to be joined into one (1) integral unit, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and household furnishings. It shall be constructed as required by the **UCC** and shall be placed on a permanent foundation with the same, or equivalent, electrical, plumbing and sanitary facilities as for a conventional stick-built single-family detached **DWELLING**. A **MANUFACTURED HOME** includes any addition or accessory **STRUCTURE** such as porches, sheds, or decks, which are attached to it. The term **MANUFACTURED HOME** does not include a **MOBILE HOME** or **RECREATIONAL VEHICLE**.

**MANUFACTURED HOME PARK OR SUBDIVISION** - a parcel (or contiguous parcels) of land divided into two or more **MANUFACTURED HOME** lots for rent or sale.

**MEAN SEA LEVEL** - The average height of the sea for all stages of the tide, using the North American Vertical Datum of 1988.

**MOBILE HOME** - A transportable, single family **DWELLING** intended for permanent occupancy, contained in one (1) unit, or in two (2) or more units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation. **MOBILE HOMES** do not include **RECREATIONAL VEHICLES** or **MANUFACTURED HOMES**.

**MOBILE HOME PARK** - A parcel or contiguous parcels of land under single ownership which has been planned and improved for the placement of **MOBILE HOMES** for non-transient use, consisting of two (2) or more **MOBILE HOME** lots for rent or sale.

**MODIFICATION** - A change; alteration or amendment which introduces new elements into the details, or cancels some of them, but leaves the general purpose and effect of the subject-matter intact.

**MUNICIPALITIES PLANNING CODE (MPC)** - The Pennsylvania Municipalities Planning Code, Act 247 of July 31, 1968, P.L. 805, as amended and reenacted, 53 P.S. §10101 et seq.

**NEW CONSTRUCTION - STRUCTURES** for which the **START OF CONSTRUCTION** commenced on or after the effective date of this **ORDINANCE**, and includes any subsequent **IMPROVEMENTS** thereto. [**Added 6-27-2005 by Ord. No. 2005-17**]. Any **CONSTRUCTION** started after June 24, 1968 and before the effective date of this **ORDINANCE** is subject to the regulations in effect at the time the permit is issued, provided the **START OF CONSTRUCTION** is within 180 days of permit issuance.

**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 **FLOODPLAIN** management regulations adopted by a community.

**OBSTRUCTION** - Any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, refuse, **FILL**, **STRUCTURES**, or other matter in, along, across or projecting into any **CHANNEL**, **WATERCOURSE**, or **FLOODPLAIN**, which may impede, retard, or change the direction of the flow of water, or that is placed where the flow of water might carry the same downstream to cause damage to life or property.

**ONE-HUNDRED (100) YEAR FLOOD** - A **FLOOD** which is likely to be equaled or exceeded once every one-hundred (100) years (i.e. that has a one percent chance of being equaled or exceeded in any given year). See also **BASE FLOOD**.

**ONE-HUNDRED (100) YEAR FLOOD ELEVATION** - The water surface elevations of the **ONE-HUNDRED (100) YEAR FLOOD**.

**ONE-HUNDRED (100) YEAR FLOODPLAIN** - Any land **AREA** susceptible to a general and temporary condition of partial or complete inundation by the **ONE-HUNDRED (100) YEAR FLOOD** due to overflow of inland waters, or to the unusual and rapid accumulation or **RUNOFF** of surface waters from any source. See also **SPECIAL FLOOD HAZARD AREA**.

**ORDINANCE** - The **FLOODPLAIN Ordinance** of Manheim Township, as amended.

**PARKING LOT** - An accessory use provided on a lot for the use of the general public designated for short-term parking of vehicles. Vehicles shall be limited to currently registered and inspected vehicles.

PATHWAYS - A path intended for use by pedestrians and bicyclists, but not by unauthorized motorized vehicles. It is a path that may run parallel to the street, but is separated from it. See also BIKE PATH.

PENNSYLVANIA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) - The Pennsylvania Department of Environmental Protection or any agency successor thereto.

PESTICIDE - Any substance or mixture of substances intended for use in preventing, destroying, repelling, sterilizing, or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds or other forms of plant or animal life.

POST-FIRM STRUCTURE - A STRUCTURE for which CONSTRUCTION or SUBSTANTIAL IMPROVEMENT occurred after Manheim TOWNSHIP's initial FIRM, dated August 15, 1979, and, as such would be required to be compliant with the regulations of the National FLOOD Insurance Program.

PRE-FIRM STRUCTURE - A STRUCTURE for which CONSTRUCTION or SUBSTANTIAL IMPROVEMENT occurred on or before August 15, 1979, and, as such would not be required to be compliant with the regulations of the National FLOOD Insurance Program.

RADIOACTIVE MATERIAL - Any natural or artificially produced substance which emits radiation spontaneously.

RECREATIONAL VEHICLE - A vehicle which is (a) built on a single chassis; (b) not more than four-hundred (400) square feet, measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; and (d) not designed for use as a permanent DWELLING but as a temporary living quarters for recreational, camping, travel, or seasonal use.

RIPARIAN BUFFER - Undisturbed riparian land adjacent to a natural WATERCOURSE and other bodies of water for the purpose of stabilizing banks, filtering pollutants from RUNOFF and for providing habitat for a variety of wildlife. This is not intended to include man-made SWALES or detention facilities utilized solely for STORMWATER MANAGEMENT from the project site.

RUNOFF - Any part of precipitation that flows over the land surface.

SEDIMENT - Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site of origin by water.

SOLID WASTE - Garbage, refuse and other discarded materials including, but not limited to, solid and liquid waste materials resulting from municipal, industrial, commercial, agricultural and residential activities. Such wastes shall not include biological excrement nor hazardous waste materials as defined in the Code of Federal Regulations, Title 40, Chapter 1, Part 261, dated July 1, 1984, or as amended.

**SPECIAL FLOOD HAZARD AREA (SFHA)** - An AREA in the FLOODPLAIN subject to a one (1) percent or greater chance of FLOODING in any given year. The SFHA is shown on the FIRM as Zone A, AO, A1-A-30, AE, A99, or AH.

**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 or permanent CONSTRUCTION or 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 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.

**STORM SEWER** - A system of pipes, conduits, SWALES or other similar STRUCTURES including appurtenant works which carries intercepted RUNOFF, and other drainage, but excludes domestic sewage and industrial waste.

**STORMWATER** - Drainage RUNOFF from the surface of the land resulting from precipitation or snow or ice melt.

**STORMWATER MANAGEMENT** - A program of controls and measures designed to regulate the quantity and quality of STORMWATER RUNOFF from a DEVELOPMENT while promoting the protection and conservation of Groundwater and GROUNDWATER RECHARGE.

**STORMWATER MANAGEMENT FACILITIES** - Those controls and measures used to effect a STORMWATER MANAGEMENT program.

**STRUCTURE** - Any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. A walled and roofed BUILDING, including a gas or liquid storage tank that is principally above ground, as well as a MANUFACTURED HOME or a MOBILE HOME.

**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.

**SUBSTANTIAL IMPROVEMENT** - Any repair, 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 which have incurred SUBSTANTIAL DAMAGE, regardless of the actual repair work performed. The term does not, however include either: **[Added 6-27-2005 by Ord. No. 2005-17]**.

- A. Any project for IMPROVEMENT of a STRUCTURE to correct existing VIOLATIONS of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or;
- B. Any alteration of a HISTORIC STRUCTURE, provided that the alteration will preclude the STRUCTURE's continued designation as a HISTORIC STRUCTURES.

SWALE - A wide shallow ditch which carries surface water RUNOFF.

TOWNSHIP - The TOWNSHIP of Manheim, Lancaster County, Pennsylvania.

TOWNSHIP ENGINEER - A duly registered professional ENGINEER, licensed as such in the Commonwealth of Pennsylvania, employed by the TOWNSHIP or engaged as a consultant thereto and appointed as the ENGINEER for the TOWNSHIP.

UNIFORM CONSTRUCTION CODE (UCC) - The state wide BUILDING code adopted by the Pennsylvania General Assembly in 1999 applicable to New CONSTRUCTION all municipalities whether administered by the MUNICIPALITY, a third party or the Department of Labor and Industry. For residential and commercial BUILDINGS, the UCC adopted the International Residential Code (IRC) and the International BUILDING Code (IBC), by reference, as the CONSTRUCTION standard applicable within the Commonwealth of Pennsylvania to FLOODPLAIN CONSTRUCTION. For coordination purposes, references to the UCC are made specifically to various sections of the IRC and the IBC. **[Added 6-27-2005 by Ord. No. 2005-17]**.

VIOLATION - A VIOLATION means the failure of a STRUCTURE or other DEVELOPMENT to be fully compliant with the TOWNSHIP's FLOODPLAIN management regulations. A STRUCTURE or other DEVELOPMENT without the elevation certificate, other certifications, or other evidence of compliance within or 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.

WATERCOURSE - A permanent or intermittent stream, river, brook, run, creek, CHANNEL, SWALE, pond, lake or other body of surface water, carrying or holding surface water, whether natural or artificial.

WATERSHED - All the land from which water drains into a particular WATERCOURSE.

WETLAND BUFFER - An AREA of land immediately adjacent to a WETLAND that is set aside for naturally occurring vegetation or the reestablishment of native plant species and as a transition

zone to protect the WETLAND from impact caused by DEVELOPMENT of adjacent upland AREAS.

WETLANDS - Those AREAS that are inundated or saturated by surface or Groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, and similar AREAS.

ZONING HEARING BOARD - Manheim TOWNSHIP ZONING HEARING BOARD.

### **ARTICLE III. FLOODPLAIN REGULATIONS**

#### **SECTION 301. IDENTIFICATION OF ONE-HUNDRED (100) YEAR FLOODPLAIN AREAS**

1. For the purpose of this ORDINANCE, a ONE-HUNDRED (100) YEAR FLOODPLAIN shall be delineated and regulated by this ORDINANCE for the following lands within the TOWNSHIP having any of the following characteristics:
  - A. A drainage AREA equal to or exceeding 150 acres. The measurement of the drainage AREA shall be calculated from the lowest elevation of the WATERCOURSE within the property. If any section of the WATERCOURSE equals or exceeds the 150 acres of drainage AREA the entire length of the WATERCOURSE within the property shall be regulated.
  - B. The WATERCOURSE has been studied and mapped by FEMA. Any FEMA identified FLOODPLAIN AREAS of the TOWNSHIP, classified as SPECIAL FLOOD HAZARD AREAS (SFHAs) in the FIS and the accompanying FIRMS dated April 19, 2005 or the most recent revision thereof, and issued by the FEMA, including all digital data developed as part of the FIS.

The above referenced FIS and FIRMS, and any subsequent revisions and amendments are hereby adopted by the TOWNSHIP and declared to be part of this ORDINANCE.

2. The ONE-HUNDRED (100) YEAR FLOODPLAIN boundaries and ONE-HUNDRED (100) YEAR FLOOD ELEVATIONS shall be determined by a licensed professional registered by the Commonwealth of Pennsylvania. The study must be prepared in accordance with this ORDINANCE and be reviewed and APPROVED by the TOWNSHIP ENGINEER. Calculation of the ONE-HUNDRED (100) YEAR FLOOD peak flows must be independently calculated for the specific site under consideration. If the peak flow rate calculated for the site is equal to or less than ten (10) percent of FEMA study results at comparable geographic locations, information from FEMA FIS may be incorporated into the study.
3. All studies submitted to the TOWNSHIP shall include a computer disk with the data used to establish the FLOODPLAIN.
4. If any physical change is contemplated which would change the FLOODPLAIN AREA, designated by DHUD or FEMA in the FIS dated April 19, 2005 including latest revisions, it may be modified by the TOWNSHIP where studies or information is provided by a qualified professional ENGINEER in accordance with this ORDINANCE. However, prior to any such change to the SFHA, approval must be obtained from FEMA for compliance with the rules and regulations of the National FLOOD Insurance Program. As soon as practical, but not later than six (6) months after the date that such information becomes available, the TOWNSHIP shall notify FEMA of the changes to the SFHA by submitting technical or scientific data provided by the DEVELOPER.



5. No encroachment, alteration, or IMPROVEMENT of any kind shall be made to any WATERCOURSE until all municipalities immediately adjacent to the encroachment, alteration, or IMPROVEMENT have been notified by the TOWNSHIP, and until all required permits or approvals have been first obtained from DEP, Bureau of Waterways Engineering and the U.S. Army Corp of Engineers.

In addition, FEMA and DCED shall be notified prior to any alteration or relocation of any WATERCOURSE.

6. Within any FLOODPLAIN AREA, no encroachments, including FILL, NEW CONSTRUCTION, SUBSTANTIAL IMPROVEMENTS, or other DEVELOPMENT shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in FLOOD levels within the community during the occurrence of the BASE FLOOD discharge.

### **SECTION 302. RESOLUTION OF DISPUTES AND VARIANCES**

1. The ZONING HEARING BOARD shall have jurisdiction to hear appeals from a determination concerning the identification of any FLOODPLAIN AREA and from an initial determination made by the TOWNSHIP Zoning Officer or the TOWNSHIP ENGINEER, either of whom may consult with other TOWNSHIP staff or appropriate persons in making this determination. The ZONING HEARING BOARD shall also have jurisdiction to hear applications for variances.
2. Proceedings on such appeals or variances and the proceedings shall be in accordance with the Zoning Ordinance. Upon receipt of such appeal or application for variance, the ZONING HEARING BOARD shall set a time and place for the hearing in accordance with the requirements of the MPC. Notice of the time and place of the hearing on the appeal or application for variance shall be given to all parties. The burden of proof shall be on the appellant/applicant.
3. Any persons aggrieved by any decision of the ZONING HEARING BOARD may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of the Commonwealth of Pennsylvania.
4. The ZONING HEARING BOARD shall hear and decide applications for variances in accordance with the following requirements in addition to the criteria for variances as set forth in the MPC:
  - A. No variance shall be granted for any CONSTRUCTION, DEVELOPMENT, IMPROVEMENT, use or activity within any FLOODWAY AREA.
  - B. Except for a possible MODIFICATION of the regulatory ONE-HUNDRED (100) YEAR FLOOD ELEVATION requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to

DEVELOPMENT proscribed by Prohibited Activities or to DEVELOPMENT which may endanger human life.

- C. If granted, a variance shall involve only the least MODIFICATION necessary to provide relief.
- D. In granting any variance, the ZONING HEARING BOARD 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.
- E. In reviewing any request for a variance, the ZONING HEARING BOARD 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:
    - (a) Not result in an unacceptable or prohibited increase in FLOOD heights, additional threats to public safety, or extraordinary public expense.
    - (b) Not create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local laws, ordinances or regulations.
- F. Wherever a variance is granted, the ZONING HEARING BOARD shall notify the applicant in writing that:
  - (1) The granting of the variance may result in increased premium rates for FLOOD insurance.
  - (2) Such variances may increase the risks to life and property.
- G. A complete record of all variance requests 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 DCED or FEMA.

### **SECTION 303. PERMITTED USES**

The following uses are permitted in the ONE-HUNDRED (100) YEAR FLOODPLAIN and they are permitted only if done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, Act 394 of 1937, as amended, DEP Rules and Regulations, all other applicable provisions of this ORDINANCE and other applicable ordinances and do not impact adjacent properties:

1. AGRICULTURE, horticulture, forestry, vegetated best management practices and RIPARIAN BUFFERS, all if done in accordance with an APPROVED CONSERVATION PLAN, all excluding any STRUCTURES, and excluding any grading or filling which would cause any increase in FLOOD heights or frequency.
2. EROSION and sedimentation control measures excluding any grading or filling which would cause any increase in FLOOD heights or frequency.
3. Public and private recreational uses such as parks, swimming AREAS (excluding swimming pools), play AREAS, day camps, campgrounds (excluding campsites for overnight camping), picnic groves, lawns, gardens, golf courses, driving ranges, archery ranges, game farms, AREAS or clubs for hunting, fishing, or boating (including marker or anchor buoys), paved BIKE PATHS, PATHWAYS and hiking and horseback riding trails, all excluding any STRUCTURES, and excluding any grading or filling which would cause any increase in FLOOD heights or frequency.
4. Harvesting of any wild crop, such as marsh hay, ferns, moss, berries, tree fruits and seeds, or wild rice.
5. Activities related to the preservation of natural amenities, including wildlife sanctuaries, nature preserves, woodland preserves, botanical gardens and arboretums, excluding any activity which would cause any increase in FLOOD heights or frequency.
6. Stream IMPROVEMENTS whose sole purpose is to improve aquatic life habitat or stabilize an EROSION problem, and which are reviewed by the applicable permitting agencies, excluding any activity which would cause any increase in FLOOD heights or frequency.
7. Blinds for the shooting or observation of wildlife, provided that such blinds may only be placed, erected, and maintained during the open season established by the Pennsylvania Game Commission or other governmental entity having jurisdiction thereof for the taking of migratory waterfowl and the three weeks immediately preceding and three weeks immediately following that open season. Blinds must be removed during all other times of the year.

8. Ponds that do not create any increase in FLOODING and are APPROVED by the applicable permitting agencies. [Added 6-27-2005 by Ord. No. 2005-17].
9. Public utility facilities (except BUILDINGS) under the exclusive jurisdiction of the Pennsylvania Public Utility Commission or utility facilities which are operated, owned or maintained by a municipality or a municipal authority organized under the laws of the Commonwealth of Pennsylvania to provide public water service, public sewer service or similar service, subject to the provisions of Section 307.17 of this ORDINANCE.
10. Marker buoys.
11. All projects undertaken by the TOWNSHIP.

#### **SECTION 304. USES ALLOWED BY CONDITIONAL USE APPROVAL BY THE BOARD OF COMMISSIONERS**

1. Consideration for approval or disapproval for a conditional use request shall be vested solely with the COMMISSIONERS as set forth in the procedure outlined in this Section.
2. This Section shall not be constructed to mean the DEVELOPER can by right merely meet the standards set forth herein. These standards and requirements are minimum standards only. The COMMISSIONERS may require more stringent standards, based on the specific and unique nature and condition of the site, and surrounding AREAS, in order to protect the health, safety, and welfare of the citizens of the TOWNSHIP.
3. The following uses are permitted in the designated ONE-HUNDRED (100) YEAR FLOODPLAIN AREAS when conditional use approval is granted by the COMMISSIONERS through the conditional use process as outlined in Section 2810.3 of The Zoning Ordinance of Manheim TOWNSHIP, as amended and when done under and in accordance with the provisions of the Clean Streams Law of Pennsylvania, 35 P.S. §691.1et seq.; DEP Rules and Regulations; and all other provisions of this ORDINANCE and other applicable ordinances or regulations:
  - A. PARKING LOTS, loading AREAS, DRIVEWAYS, and aircraft landing strips and taxiways, if they are consistent with the provisions of Section 304.3.L. of this ORDINANCE and its subparagraphs and are not identified as prohibited uses.
  - B. Water oriented uses such as docks, piers, wharves, marinas, boat liveries, and boat launching ramps.
  - C. Utility facilities not under the exclusive jurisdiction of the Pennsylvania Public Utility Commission nor operated, owned or maintained by a MUNICIPALITY or a municipal authority organized under the laws of the Commonwealth of Pennsylvania providing water service, sewer service or similar service, subject

to the conditions and restrictions set forth in Section 304.3.L. of this ORDINANCE.

- D. Fish hatcheries, including uncovered ponds and raceways, which do not increase ONE-HUNDRED (100) YEAR FLOOD heights or frequency, and which are APPROVED by the Pennsylvania Fish Commission, but excluding other STRUCTURES.
- E. Water monitoring devices which do not increase ONE-HUNDRED (100) YEAR FLOOD heights or frequency.
- F. Picnic pavilions, picnic tables, park benches, fireplaces and grills, and playground equipment, if anchored to prevent floatation, excluding any grading or filling which would cause any increase in heights or frequency.
- G. CULVERTS, BRIDGES, approaches to public and private CULVERTS and BRIDGES, and FLOOD hazard reduction STRUCTURES for the purpose of protecting only lawfully existing nonconforming STRUCTURES, provided that all necessary approvals have been obtained from all other governmental agencies.
- H. Extraction of sand, gravel, and other mineral resources, excluding topsoil provided that all necessary approvals have been obtained from all other governmental agencies.
- I. High tensile wire strand fences of not more than three wire strands for enclosing large animals.
- J. Other uses similar to the above, provided the use is not prohibited under Section 305 of this ORDINANCE.
- K. FLOODPROOFING to protect only lawfully existing nonconforming STRUCTURES and lawfully existing nonconforming uses within STRUCTURES.
- L. Placing of FILL to raise a portion of a lot above the ONE-HUNDRED (100) YEAR FLOODPLAIN ELEVATION, provided the same meets all of the following: **[Added 10-29-2001 by Ord. No. 2001-10].**
  - (1) The surface AREA and volume of the two-, five-, ten-, twenty-five-, fifty-, and ONE-HUNDRED (100) YEAR FLOODPLAIN must be greater than or equal to the existing surface AREA and volume of the corresponding FLOODPLAIN, measured within the lot upon which the FILL is placed.
  - (2) No FILL shall be placed within a designated FEMA ONE-HUNDRED (100) YEAR FLOODWAY.

- (3) No excavation or FILL shall be permissible within 200 feet of any existing occupied or occupiable STRUCTURE unless it is demonstrated that the ONE-HUNDRED (100) YEAR FLOODPLAIN will have no adverse impact.
  - (4) Review and approval by all applicable regulatory agencies.
- 4. Standards and Criteria for Conditional Use approval: In deciding upon the allowance of conditional use permitted by Section 304.3 of this ORDINANCE, the COMMISSIONERS shall determine that, in addition to all other requirements, the following standards and criteria have been complied with:
  - A. The proposed project must be designed in such a way as to contain all upstream and downstream changes in water surface elevation to the property on which the proposed project is located. In AREAS which have FEMA ONE-HUNDRED (100) YEAR FLOODPLAIN delineated by the latest revisions of the FIS for the TOWNSHIP, any changes in ONE-HUNDRED (100) YEAR water surface elevations or boundaries must be shown on the plans and APPROVED by FEMA.
  - B. That no increase of the surface elevation of the ONE-HUNDRED (100) YEAR FLOODS, or frequency of the ONE-HUNDRED (100) YEAR FLOODS except as described in Section 304.4.A.
  - C. That the possibility of disease, contamination, and unsanitary conditions is minimized.
  - D. That the proposed use is compatible with existing and anticipated DEVELOPMENT.
  - E. That the proposed use is consistent with the COMPREHENSIVE PLAN and any FLOODPLAIN management program for the AREA.
  - F. That the safety of access to the property in times of FLOODING for ordinary and emergency vehicles will be assured.
  - G. That the proposed activity will not unduly alter natural water flow or water temperature.
  - H. That archeological or HISTORIC sites and STRUCTURES, endangered or threatened species of animals or plants, high quality wildlife habitats, scarce vegetation types, and other irreplaceable land uses will not be degraded or destroyed.
  - I. That the natural, scenic, and aesthetic values at the proposed site will be conserved.

- J. That any proposal straddling a municipal boundary shall be submitted to each municipality's planning commission and governing body for review and comment, prior to any decision by the COMMISSIONERS.
  - K. That the susceptibility of the proposed facility and its content to FLOOD damage, the effect of such damage on the individual owners, and the need for and effect of FLOODPROOFING, are minimized.
  - L. That the grant of the conditional use shall not cause:
    - (1) Additional threats to public safety.
    - (2) Extraordinary public expense.
    - (3) Creation of nuisances.
    - (4) Conflict with local laws or ordinances.
  - M. That STRUCTURES will be anchored to prevent flotation, collapse, or lateral movement and that BUILDING materials are FLOOD-resistant.
5. The burden of proof in the determination of allowance of a conditional use shall be on the applicant. The COMMISSIONERS may require the applicant to submit such plans, specifications, cross-sections, calculations, and other information as it may deem necessary.
6. The COMMISSIONERS may, through the conditional use process, permit MODIFICATIONS of provisions of this Section. An applicant desiring to obtain such MODIFICATION shall, when making application for conditional use approval for conditional use, also make application for MODIFICATIONS under this Section. The COMMISSIONERS shall consider an application for MODIFICATIONS by conditional use as part of the application. However, the granting of a MODIFICATION shall not have the effect of making null and void the intent and purpose of this ORDINANCE. Any conditional use to permit a MODIFICATION of the requirements of this ORDINANCE shall be subject to the following standards:
- A. The proposed MODIFICATION shall not result in any danger to the public health, safety or welfare by increasing the FLOOD heights, velocities, and frequencies.
  - B. The design and IMPROVEMENT shall not have an adverse impact on the natural drainage systems of the TOWNSHIP.

- C. The design and IMPROVEMENT shall maintain the existing flows and quality of the WATERCOURSES in the TOWNSHIP and the Commonwealth of Pennsylvania.
- D. The design and IMPROVEMENT shall maintain the FLOOD carrying capacity of WATERCOURSES.
- E. The applicant shall demonstrate that the proposed MODIFICATION will allow for equal or better results and represents the minimum MODIFICATION necessary.
- F. The proposed MODIFICATION shall meet the relevant criteria set forth in Section 60.3 of Title 44 of the Code of Federal Regulations or any future corresponding federal regulation for FLOOD-prone AREAS.

If the COMMISSIONERS determine that the applicant has met this burden, it may grant a MODIFICATION of the requirements of this ORDINANCE. In granting MODIFICATIONS, the COMMISSIONERS may impose such conditions, in its judgment; secure the objectives and purposes of this ORDINANCE.

#### **SECTION 305. PROHIBITED USES**

1. The following OBSTRUCTIONS, activities and uses are prohibited in the designated ONE-HUNDRED (100) YEAR FLOODPLAIN AREA:
  - A. All uses prohibited either expressly or implicitly in the underlying zoning district for the land in question.
  - B. All new STRUCTURES, or any expansion, enlargement or addition to an existing STRUCTURES with the exception of those specifically allowed in Section 303 and Section 304 of this ORDINANCE.
  - C. Sanitary landfills, dumps, junk and salvage yards, and outdoor storage of vehicles or materials.
  - D. Placing, depositing and dumping any spoil, FILL, or SOLID WASTE except such grading, filling or depositing necessary to accomplish and carry out the permitted uses in Section 303 of this ORDINANCE and uses by conditional use specified in Section 304 of this ORDINANCE.
  - E. Removal of topsoil, except such removal of topsoil as is necessary to accomplish and carry out the permitted uses in Section 303 and uses by conditional use specified in Section 304 of this ORDINANCE.



- F. Damming of any WATERCOURSE, except as provided for in Section 303 and Section 304 of this ORDINANCE.
- G. Any parts of any on-site sewage disposal systems or manure handling systems.
- H. Swimming pools.
- I. Stockpiling, storage, or disposal of buoyant materials, logging slash, herbicides, PESTICIDES, domestic or industrial waste, RADIOACTIVE MATERIALS, petroleum or other flammable materials, explosives, poisonous materials, HAZARDOUS MATERIAL, or other materials which, if FLOODED, would pollute the WATERCOURSE or be injurious to human, animal, or plant life.
- J. The following list of materials and substances, which are considered dangerous to human life are prohibited to be produced or stored in any FLOODPLAIN AREA:
  - (1) Acetone.
  - (2) Ammonia.
  - (3) Benzene.
  - (4) Calcium carbide.
  - (5) Carbon disulfide.
  - (6) Celloulide.
  - (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.
- K. Cemeteries for humans or animals.
- L. Zoo, menagerie, wild animal farm or domestic or farm animal enclosures which will not allow all animals to escape FLOOD waters of maximum FLOOD elevation without human intervention while remaining safely confined.
- M. Any activity or use which may, whether alone or in combination with others, except where specifically authorized elsewhere in this ORDINANCE:

- (1) Endanger human life.
- (2) Obstruct, impede, retard, change, or increase the velocity, direction, or flow of FLOOD waters.
- (3) Increase the surface elevation of FLOODS, or the frequency of FLOODS.
- (4) Catch or collect debris carried by FLOOD waters.
- (5) Be placed where the natural flow of the stream or FLOOD waters would carry it downstream to the damage or detriment of property within or adjacent to the FLOODPLAIN AREA.
- (6) Degrade the water carrying capacity of any WATERCOURSE, CHANNEL, or FLOODPLAIN.
- (7) Increase the rate of local RUNOFF, EROSION, or sedimentation.
- (8) Degrade the quality of surface water or the quality or quantity of groundwater.
- (9) Be susceptible to flotation and subsequent movement which would cause damage to other property.
- (10) Create unhealthful ponding or other sanitary conditions;
- (11) Not be in harmony with the intent and purpose of this ORDINANCE as set forth in Section 102 of this ORDINANCE.

N. PARKING AREAS designed or used for storage and PARKING AREAS for hotels, motels and other transient lodgings.

2. The following OBSTRUCTIONS, activities, and uses shall be prohibited within identified FLOODPLAIN AREAS:

- A. Hospitals, public or private,
- B. Nursing Homes, public or private,
- C. Jails,
- D. New MOBILE HOME PARKS and MOBILE HOME subdivisions, and SUBSTANTIAL IMPROVEMENTS to such existing parks and subdivisions,
- E. MANUFACTURED HOMES, and

F. RECREATIONAL VEHICLES.

3. No variance shall be granted which would allow any of these prohibited activities or STRUCTURES to locate, expand, or enlarge, in any designated ONE-HUNDRED (100) YEAR FLOODPLAIN AREA.

**SECTION 306. NONCONFORMING USES AND STRUCTURES IN THE FLOODPLAIN AREA**

1. All uses or STRUCTURES in the designated FLOODPLAIN AREA lawfully existing on the effective date of this ORDINANCE which are not in conformity with the provisions of this ORDINANCE shall be deemed nonconforming uses or STRUCTURES. Such nonconforming uses or STRUCTURES may be continued, maintained, repaired, and FLOODPROOFED, except as otherwise provided for in this ORDINANCE. However, such nonconforming uses or STRUCTURES may at any time be improved to comply with existing Commonwealth of Pennsylvania or Manheim TOWNSHIP health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions.
2. Nonconforming uses or STRUCTURES which have been discontinued or vacated for twelve (12) consecutive months shall be considered abandoned. Vacation of land or STRUCTURES or the non-operative status of the use normally carried on by the property shall be evidence of discontinuance. The COMMISSIONERS may require the removal of any abandoned nonconforming use or STRUCTURE upon proper notice to the owner of the property on which an abandoned nonconforming use or STRUCTURE exists. If the owner has not completely removed the abandoned use or STRUCTURE within a time not to exceed nine (9) months, the COMMISSIONERS shall have the authority to itself cause the removal to be accomplished, the costs of such removal to be paid by the property owner.
3. A nonconforming use or STRUCTURE may not be expanded or modified in any manner which would increase or aggravate FLOODING or FLOOD hazards. Nothing shall be done which would otherwise violate any of the provisions of this ORDINANCE. No nonconforming use or STRUCTURE shall be expanded, enlarged, or altered in any way which increases its nonconformity with respect to height, AREA, yard, and other requirements established in the TOWNSHIP Zoning Ordinance, or in any way which causes it to occupy more space within the FLOODPLAIN AREA than was occupied by it on the date on which the TOWNSHIP first enacted FLOODPLAIN regulations (June 24, 1968).
4. A nonconforming use or STRUCTURE may be replaced, repaired, or rebuilt if it is damaged or destroyed by any means, including FLOODS, to the extent of less than fifty (50) percent of its fair market value at the time of its damage or destruction. In such a case, however, the nonconformity of the new use or STRUCTURES, with respect to requirements as expressed in provisions of this ORDINANCE, shall not exceed that of the original use or STRUCTURE which was damaged or destroyed. Nothing shall be done which would otherwise violate any of the provisions of this ORDINANCE.

5. A nonconforming use or STRUCTURE which has been damaged or destroyed by any means, including FLOODS, to the extent of fifty (50) percent or more of its fair market value at the time of its damage or destruction may not be replaced, restored, repaired, reconstructed, improved, or rebuilt in any way other than in complete conformity and full compliance with the provisions of this ORDINANCE, the TOWNSHIP Zoning Ordinance and all applicable laws, regulations and ordinances.
6. The Zoning Officer or the TOWNSHIP ENGINEER shall have the initial responsibility of determining the percent of damage or destruction and the fair market value of the damaged or destroyed use or STRUCTURE at the time of its damage or destruction, and may call on any experts or authorities, including the Building Code Official, they may deem necessary to arrive at a fair and impartial determination. Appeals of the determination of the Zoning Officer or the TOWNSHIP ENGINEER may be made to the ZONING HEARING BOARD in accordance with Section 302 of this ORDINANCE.
7. HISTORIC STRUCTURES undergoing repair or rehabilitation that would constitute a SUBSTANTIAL IMPROVEMENT as defined in this ORDINANCE, must comply with all ORDINANCE requirements that do not preclude the STRUCTURE's continued designation as a HISTORIC STRUCTURE. Documentation that a specific ORDINANCE requirement will cause removal of the STRUCTURE from the National Register of Historic Places or the State Inventory of Historic Places must be obtained from the Secretary of the Interior or the State Historic Preservation Officer. Any exemption from the ORDINANCE requirements will be the minimum necessary to preserve the historic character and design of the STRUCTURE. The COMMISSIONERS shall have the right to waive any of the requirements of this ORDINANCE, based on the above, for the repair or rehabilitation of any HISTORIC STRUCTURE or resource in accordance with applicable state and federal standards.

### **SECTION 307. DESIGN AND PERFORMANCE STANDARDS**

1. Unless otherwise specified in this ORDINANCE, the standards and criteria included in this Section are to be used, together with the provisions of the ACT and all other TOWNSHIP ordinances in administration of this ORDINANCE. Except as specifically provided otherwise in this ORDINANCE, nothing contained in this ORDINANCE shall be construed to affect the other ordinances of the TOWNSHIP.
2. Where applicable and where possible, all necessary permits or other written approvals must be obtained from all other agencies before any approvals of plans or permits may be granted by TOWNSHIP or its agencies, officials, or employees.
3. RIPARIAN BUFFERS and riparian forest buffers shall be in compliance with the requirements of the Zoning Ordinance of Manheim TOWNSHIP, as amended and the Stormwater Management Ordinance of Manheim TOWNSHIP, as amended.

4. Where necessary permits or written approvals from other agencies cannot be obtained prior to action by TOWNSHIP or its agencies, officials, or employees, permits shall be conditioned upon receiving such other agencies permits or written approval.
5. No regulations of the Commonwealth of Pennsylvania governing WATERCOURSES are amended or repealed by this ORDINANCE.
6. No encroachment, alteration, or IMPROVEMENT of any kind shall be made to any WATERCOURSE until all municipalities immediately adjacent to the encroachment, alteration or IMPROVEMENT have been notified by the DEVELOPER and until all required permits or approvals have been obtained from DEP, Bureau of Waterways Engineering. In addition, FEMA and DCED shall be notified prior to any alteration or relocation of any WATERCOURSE.
7. All uses and STRUCTURES allowed under this ORDINANCE, shall be designed, constructed, and placed so as to offer the minimum OBSTRUCTION possible to the flow of water, and shall be designed to have a minimum effect upon the flow, velocity, or height of FLOOD waters. Whenever possible, such STRUCTURES shall be constructed with the longitudinal axis parallel to the direction of FLOOD flow, and, as far as is practicable, such STRUCTURES shall be placed approximately on the same FLOOD flow lines as those of nearby STRUCTURES.
8. All NEW CONSTRUCTION and SUBSTANTIAL IMPROVEMENTS shall be constructed by (1) methods and practices that minimize FLOOD damage; (2) using FLOOD resistant BUILDING materials and (3) designing and locating electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities to prevent water entry or accumulation.
9. All NEW CONSTRUCTION and SUBSTANTIAL IMPROVEMENTS of permanent non-residential STRUCTURES shall either; (1) have the LOWEST FLOOR (including BASEMENT) elevated to a minimum of one (1) foot above the ONE-HUNDRED (100) YEAR FLOOD ELEVATION, as defined by Section 301 of this ORDINANCE or; (2) together with attendant utility and sanitary facilities, be FLOODPROOFED to be a minimum of one (1) foot above the ONE-HUNDRED (100) YEAR FLOOD ELEVATION, the STRUCTURE is watertight, and with walls substantially impermeable to the passage of water and with structural components having the capacity of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
10. All authorized IMPROVEMENTS or additions to existing residential STRUCTURES not meeting the definition of SUBSTANTIAL IMPROVEMENTS shall be elevated or FLOODPROOFED to the greatest extent possible.
11. All authorized new or substantially improved residential STRUCTURES shall have the LOWEST FLOOR (including BASEMENT) elevated to one (1) foot above the ONE-HUNDRED (100) YEAR FLOOD ELEVATION, as defined by Section 301 of this ORDINANCE.

12. Where FLOODPROOFING is authorized by this ORDINANCE, it shall be certified by a registered professional and shall be done according to the standards and provisions for FLOODPROOFING classes W-1 or W-2, as contained in FLOODPROOFING Regulations, published by the Office of the Chief of Engineers, U.S. Army, publication EP 1165 2 314 (June 1972 and as subsequently amended), where such standards and provisions do not conflict with other provisions of this ORDINANCE. Where reference is made in FLOODPROOFING Regulations to the "RFD" (Regulator FLOOD Datum), it shall be interpreted to mean the ONE-HUNDRED (100) YEAR FLOOD ELEVATION, as defined by this ORDINANCE.
13. All NEW CONSTRUCTION or SUBSTANTIAL IMPROVEMENTS to nonconforming STRUCTURES, including BUILDINGS, air ducts, pipes, and storage tanks within the FLOODPLAIN AREA shall be firmly anchored to prevent flotation, movement, or collapse, thus reducing the possibility of the blockage of BRIDGE openings and other restricted sections of the WATERCOURSE.
14. NEW CONSTRUCTION or SUBSTANTIAL IMPROVEMENTS cannot be granted a variance which would permit a STRUCTURE to be in non-compliance with the need to elevate or FLOODPROOF to a minimum of one (1) foot above the BASE FLOOD ELEVATION. Similarly, no CONSTRUCTION or SUBSTANTIAL IMPROVEMENTS can be granted a variance to be located within the FLOODWAY AREA.
15. Fully enclosed space or partially enclosed space below the LOWEST FLOOR (including BASEMENT) is prohibited.
16. Adequate drainage shall be provided for all new DEVELOPMENT to reduce exposure to FLOOD hazards.
17. Public utility facilities and STRUCTURES (except BUILDINGS) subject to the jurisdiction of the Pennsylvania Public Utility Commission or utility facilities which are operated, owned or maintained by a municipality or a municipal authority organized under the laws of the Commonwealth of Pennsylvania are required to comply with the following standards in the interest of achieving the purpose and intent of this ORDINANCE:
  - A. Public utility facilities and associated STRUCTURES such as pipelines, gas lines, STORM SEWER, sanitary sewers, water lines, outlet installations for sewage treatment plants, sealed public and private water supply wells, pumping stations, and underground communications facilities, should, except for necessary vents, be designed and installed underground so as to be at or below the existing natural surface GRADE within the FLOODPLAIN, and in such a manner as will prevent flotation, minimize or eliminate FLOOD damage, and not alter the cross-sectional AREA of the FLOODPLAIN. All new or replacement water supply facilities or sanitary sewage facilities should be designed to minimize or eliminate infiltration

of FLOOD waters into the facilities and discharges from the facilities into FLOOD waters. All gas lines should have a system of shut-off valves for service to the FLOODPLAIN AREA to allow positive control during FLOOD emergencies.

- B. Public utility electrical transmission lines and supporting STRUCTURES should be installed so as to minimize or eliminate FLOOD damage. Above-ground electrical transmission lines should be designed to meet the following standards:
  - (1) Above-ground lines and supporting STRUCTURES should enter the FLOODPLAIN AREA only to cross a WATERCOURSE, should cross the WATERCOURSE and the FLOODPLAIN using the most direct and shortest route possible consistent with the goals, objectives, purposes and intents of this ORDINANCE, should make the minimum number of crossings necessary, and should be designed and installed so as to minimize or eliminate FLOOD damage.
  - (2) Supporting STRUCTURES for above-ground lines within the FLOODPLAIN should be the minimum number necessary to carry the lines across the FLOODPLAIN.
  - (3) Facilities and service in the FLOODPLAIN AREA should be designed so that FLOOD damage within the FLOODPLAIN AREA does not disrupt service outside the AREA.
- 18. Any on-site waste disposal system shall be located to avoid impairment to FLOOD-prone AREAS or contamination from them during FLOODING.
- 19. All MOBILE HOMES and MANUFACTURED HOMES and any IMPROVEMENTS 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 Institute and National Fire Protection Association Standards as specified in the Standard for the Installation of MOBILE HOMES and MANUFACTURED HOMES including MOBILE HOME PARK and MANUFACTURED HOME 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 or 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 MOBILE HOME or 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.
20. All MOBILE HOMES and MANUFACTURED HOMES and any IMPROVEMENTS thereto shall also be placed on a permanent foundation and be 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 or MANUFACTURED HOME will be a minimum of one (1) foot above the elevation of the designated ONE-HUNDRED (100) YEAR FLOOD.
  - B. Adequate surface drainage is provided.
  - C. Adequate access for a hauler is provided.
21. An evacuation plan indicating alternate vehicular access and escape routes shall be filed with the Emergency Management Coordinator for MOBILE HOME PARKS, MOBILE HOME subdivisions or MANUFACTURED HOMES where appropriate.
22. The standards and specifications contained in the International Building Code (IBC) and the International Residential Building Code (IRC) as incorporated into the UCC, 34 PA Code (Ordinances 401-405), as amended shall apply to the above and other sections and subsections of this ORDINANCE, to the extent that they are more restrictive and/or supplement the requirements of this ORDINANCE. **[Added 6-27-2005 by Ord. No. 2005-17].**



## **ARTICLE IV. ADMINISTRATION AND ENFORCEMENT**

### **SECTION 401. FLOODPLAIN ADMINISTRATOR**

The Zoning Officer of the TOWNSHIP is hereby appointed to administer and enforce this ORDINANCE and shall have the authority to act as the FLOODPLAIN Administrator. The FLOODPLAIN Administrator shall:

1. Fulfill the duties and responsibilities set forth in these regulations;
2. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees; or
3. Enter into a written contract with another agency or private sector entity to administer specific provisions of these regulations.

Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National FLOOD Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

### **SECTION 402. DUTIES AND RESPONSIBILITIES OF THE FLOODPLAIN ADMINISTRATOR**

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. Prior to the issuance of any permit, the FLOODPLAIN Administrator or other person authorized by the FLOODPLAIN Administrator shall review the application for the permit to determine if all other applicable agency permits have been obtained, such as those required by the 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, 35 P.S. §691.1 et seq, 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.
3. During the CONSTRUCTION period, the FLOODPLAIN Administrator or other person authorized by the FLOODPLAIN Administrator 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.
4. The FLOODPLAIN Administrator or other person authorized by 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.
5. In the event the FLOODPLAIN Administrator or other person authorized by 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 the applicant, the FLOODPLAIN Administrator or other person authorized by the FLOODPLAIN Administrator shall revoke the permit and report such fact to the COMMISSIONERS for whatever action it considers necessary.

6. The FLOODPLAIN Administrator shall maintain in perpetuity all records associated with the requirements of this ORDINANCE including, but not limited to, permitting, inspection and enforcement.
7. The FLOODPLAIN Administrator shall consider the requirements of the UCC.

### **SECTION 403. PERMIT**

1. Irrespective of the provisions of the TOWNSHIP Zoning Ordinance, BUILDING permits shall be required within the FLOODPLAIN AREA and immediately adjacent to the FLOODPLAIN AREA for all proposed DEVELOPMENT, CONSTRUCTION, reconstruction, placement, replacement, expansion, renovation, extension, repair, or other IMPROVEMENT of uses or STRUCTURES, regardless of value, including mining, dredging, filling, grading, logging, paving, excavation, or drilling operations and the storage of materials or equipment.
2. Every permit application for work or uses within the FLOODPLAIN AREA and immediately adjacent to the FLOODPLAIN AREA shall include or be accompanied by all information necessary for the TOWNSHIP to determine that the proposal meets all the provisions of applicable TOWNSHIP ordinances and other governmental agency regulations.
3. The following information is specifically required to accompany all BUILDING permit applications involving all STRUCTURES within the FLOODPLAIN AREA or immediately adjacent to the FLOODPLAIN AREA:
  - A. The elevation (in relation to MEAN SEA LEVEL, NAVD 88) of the LOWEST FLOOR (including BASEMENT).
  - B. Whether or not the STRUCTURE includes a BASEMENT.
  - C. If the STRUCTURE has been FLOODPROOFED, the elevation (in relation to MEAN SEA LEVEL, NAVD 88) to which the STRUCTURE was FLOODPROOFED.
  - D. The elevation of the BASE FLOOD.
  - E. Detailed information concerning any proposed FLOODPROOFING measures and corresponding elevations.
  - F. Every permit application for work on or the use of property containing any FLOODPLAIN shall be subject to the following requirements and shall include language on the permit stating "Nothing shall be placed, planted, set or put within

the FLOODPLAIN except as authorized by this ORDINANCE. The ONE-HUNDRED (100) YEAR FLOODPLAIN boundary was delineated based on (identify the FLOODPLAIN study – i.e. FEMA delineation or a FLOODPLAIN Study prepared by XYZ Consultant on (identify the date)). The proposed LOWEST FLOOR (including BASEMENT) shall be elevated a minimum of one (1) foot above the ONE-HUNDRED (100) YEAR FLOODPLAIN ELEVATION. The ONE-HUNDRED (100) YEAR FLOODPLAIN ELEVATION based on the above-referenced study is (define elevation) and the LOWEST FLOOR (including BASEMENT) elevation is (define elevation). The ONE-HUNDRED (100) YEAR FLOODPLAIN boundary shall be field staked prior to CONSTRUCTION. The ONE-HUNDRED (100) YEAR FLOODPLAIN ELEVATION shall be field verified by a professional land surveyor or professional ENGINEER and certified following the CONSTRUCTION of the foundation.”

The elevated LOWEST FLOOR requirement shall not apply to accessory STRUCTURES which are not used for human habitation, but are used to store tools, materials, or equipment related to the principal use or activity provided the following conditions are met:

- (1) The STRUCTURE shall not be designed or used for human habitation, but shall be limited to the parking of vehicles, or to the storage of tools, material, and equipment related to the principal use or activity.
- (2) The floor AREA shall not exceed two hundred (200) square feet.
- (3) The STRUCTURE will have a low damage potential.
- (4) The STRUCTURE will be located on the site so as to cause the least OBSTRUCTION to the flow of FLOOD waters.
- (5) Power lines, wiring, and outlets will be elevated to the regulatory FLOOD elevation.
- (6) Permanently affixed utility equipment and appliances such as furnaces, heaters, washers, dryers, etc. are prohibited.
- (7) Sanitary facilities are prohibited.
- (8) The STRUCTURE shall be adequately anchored to prevent flotation, collapse, and lateral movement and shall be designed to automatically provide for the entry and exit of FLOOD water for the purpose of equalizing hydrostatic forces on the walls. Design for meeting this requirement must be certified by a registered professional ENGINEER or meet or exceed the following minimum criteria:
  - (a) A minimum of two openings having 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 FLOOD waters.
- (d) The certification identified in Section 403.3.G. shall be placed on the site plan accompanying the permit application.

G. The following certification is to be signed and sealed by a professional land surveyor or professional ENGINEER registered in the Commonwealth of Pennsylvania and authorized by law to perform such task to certify elevation information:

I certify that on \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_ of  
 (date) (print name)

\_\_\_\_\_ verified that the LOWEST FLOOR elevation  
 (company or firm)

(including BASEMENT) and FLOODPLAIN elevation supplied on this plan are

true and correct and that the BUILDING elevation is \_\_\_\_\_ (feet/inches)

\_\_\_\_\_ above the FLOODPLAIN elevation.  
 (feet/inches)

\_\_\_\_\_  
 Signature

\_\_\_\_\_  
 Seal

- 4. Where FLOODPROOFING is proposed to be utilized for a particular STRUCTURE, the BUILDING permit application shall be accompanied by a document certified by a licensed professional, registered by the Commonwealth of Pennsylvania and qualified to make such certifications, certifying that the FLOODPROOFING methods used meet the provisions of Section 307 of this ORDINANCE and are adequate to withstand the FLOOD depths, of the ONE-HUNDRED (100) YEAR FLOOD, and indicating the specific elevation (in relation to MEAN SEA LEVEL) to which such STRUCTURE is FLOODPROOFED.
- 5. A copy of all plans and applications for proposed CONSTRUCTION or other IMPROVEMENTS within the FLOODPLAIN AREA to be considered for approval may be submitted by the TOWNSHIP to any other appropriate agencies or individuals for review and comment.

**SECTION 404. ENFORCEMENT, PENALTY, AND REMEDY**

The enforcement of this ORDINANCE, as well as the penalties and remedies for VIOLATIONS, shall be in accordance with the enforcement penalty and remedy provisions of the TOWNSHIP Zoning Ordinance.

**SECTION 405. EFFECTIVE DATE**

This ORDINANCE shall become effective immediately following its enactment by the Board of COMMISSIONERS of Manheim TOWNSHIP, Lancaster County, Pennsylvania.

Enacted and Ordained this 28<sup>th</sup> day of September, 2015.

ATTEST:

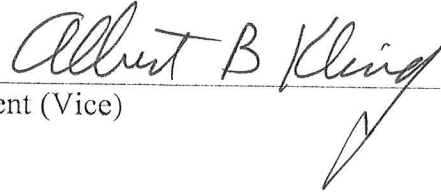
MANHEIM TOWNSHIP COMMISSIONERS

Secretary



By:

President (Vice)



**MANHEIM TOWNSHIP OFFICIALS**

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Sharyn Young

Lisa A. Douglas, Director  
TBD, Assistant Director / Land Development Administrator  
David Bednar, Zoning Officer  
Mindi Wise-Lowrey, Administrative Assistant