

**ARTICLE IX
FLOODPLAIN MANAGEMENT REGULATIONS**

901 General Provisions

901.1 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 construction practices in order to prevent or minimize flood damage in the future.
- C. Minimize danger to public health by protecting water supply and natural drainage.
- D. Reduce financial burdens imposed on the community, its governmental units, and its residents, by preventing excessive development in areas subject to flooding.
- E. Comply with federal and state floodplain management requirements.

901.2 Applicability

It shall be unlawful for any person, partnership, business or corporation to undertake, or cause to be undertaken, any construction or development anywhere within an identified floodplain area in the Township unless a permit has been issued by the Township in accord with this Article VII.

901.3 Abrogation and Greater Restrictions

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

901.4 Warning and Disclaimer of Liability

The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur, Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Ordinance does not imply that areas outside any identified floodplain areas, or that land uses permitted within such areas will be free from flooding or flood damages. This Ordinance shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

902 Administration

902.1 Permits Required; Special Exception in Floodway Areas

Permits shall be required before any construction or development is undertaken within any identified floodplain area in the Township. Any development within a floodway shall be considered a special exception.

902.2 Issuance of Permit

- A. A permit shall be issued only after it has been determined that the proposed work to be undertaken will be in conformance with the requirements of this and all other applicable codes and ordinances.
- B. Prior to the issuance of any permit, the Township shall review the application for the permit to determine if all

other necessary government permits required by State and Federal laws have been obtained, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Pennsylvania Dam Safety and Encroachments Act (Act 1978-325, as amended); the Pennsylvania Clean Streams Act (Act 1937-394, as amended); and the U.S. Clean Water Act, §404, 33, U.S.C. 1344. No permit shall be issued until this determination has been made.

- C. No encroachment, alteration, or improvement of any kind shall be made to any watercourse until all adjacent municipalities which may be affected by such action have been notified by the Township, and until all required permits or approvals have been first obtained from the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands. In addition, the Federal Insurance Administrator and Pennsylvania Department of Community and Economic Development, shall be notified by the Township prior to any alteration or relocation of any watercourse.

902.3 Application Procedures and Requirements

- A. Applications for permits shall be made, in writing, to the Zoning Officer on forms supplied by the Township, and shall contain the following:
 - 1. Name and address of applicant.
 - 2. Name and address of owner of land on which proposed construction is to occur.
 - 3. Name and address of contractor.
 - 4. Site location.
 - 5. Listing of other permits required.
 - 6. Brief description of proposed work and estimated cost.
 - 7. A plan of the site showing the exact size and location of the proposed construction as well as any existing buildings or structures.
- B. If any proposed construction or development is located entirely or partially within any identified floodplain area, the applicant for a permits shall provide all the necessary information in sufficient detail and clarity to enable the Zoning Officer to determine that a) all such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances; b) all utilities and facilities, such as sewer, gas, electrical and water systems are located and constructed to minimize or eliminate flood damage; and c) adequate drainage is provided so as to reduce exposure to flood hazards.

Applicants shall file the following minimum information plus any other pertinent information as may be required by the Zoning Officer 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;

- c. all property and lot lines including dimensions, and the size of the site expressed in acres or square feet;
 - d. the location of all existing and proposed buildings, structures, and other improvements, including the location of any existing or proposed subdivision and land development;
 - e. the location of all existing streets, drives, and other access ways; and
 - f. the location of any existing bodies of water or watercourses, identified floodplain areas, and, if available, information pertaining to the floodway, and the flow of water including direction and velocities.
3. Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
- a. the proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
 - b. the elevation of the one hundred (100) year flood;
 - c. if available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one hundred (100) year flood; and
 - d. detailed information concerning any proposed floodproofing measures.
4. The following data and documentation:
- a. documentation certified by a registered professional engineer or architect, to show that the cumulative effect of any proposed development within an AE District, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.
 - b. 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 one hundred (100) year flood. Such statement shall include a description of the type and extent of flood proofing measures which have been incorporated into the design of the structure and/or the development.
 - c. detailed information needed to determine compliance with §904.3, F, Storage, and §904.4, Development Which May Endanger Human Life, including:
 - I the amount, location and purpose of any materials or substances referred to in §904.3, F, and §904.4, which are intended to be used, produced, stored or otherwise maintained on site.
 - ii a description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in §904.4 during a one hundred (100) year flood.
 - d. the appropriate component of the Department of Environmental Protection's "Planning Module for Land Development."
 - e. where any excavation of grading is proposed, a plan meeting the requirements of the Department of

Environmental Protection, to implement and maintain erosion and sedimentation control.

902.4 Review by County Conservation District

A copy of all applications and plans for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Township to the County Conservation District for review and comment prior to the issuance of a permit. The recommendations of the Conservation District shall be considered by the Township for possible incorporation into the proposed plan.

902.5 Review of Application by Others

A copy of all plans and applications for any proposed construction or development in any identified floodplain area to be considered for approval may be submitted by the Township to any other appropriate agencies and/or individuals (e.g. planning commission, municipal engineer, etc.) for review and comment.

902.6 Changes

After the issuance of a permit by the Township, no changes of any kind shall be made to the application, permit or any of the plans, specifications or other documents submitted with the application without the written consent or approval of the Township. Requests for any such change shall be in writing, and shall be submitted by the applicant to the Zoning Officer for consideration.

903 Identification of Floodplain Areas

903.1 Identification

The identified floodplain area shall be those areas of Glenburn Township, Lackawanna County, Pennsylvania, which are subject to the one hundred (100) year flood, as identified in the Flood Insurance Study (FIS) dated November 2, 1990, and the accompanying map(s) prepared for the Township by the Federal Emergency Management Agency (FEMA), or the most recent revision thereof.

903.2 Description of Floodplain Areas

The identified floodplain area shall consist of the following two specific areas/districts:

- A. The AE Area/District shall be those areas identified as an AE Zone on the FIRM included in the FIS prepared by FEMA and for which one hundred (100) year flood elevations have been provided in the FIS.
- B. The A Area/District shall be those areas identified as an A Zone on the FIRM included in the FIS prepared by FEMA and for which no one hundred (100) year flood elevations have been provided. For these areas, elevation and floodway information from other Federal, State, or other acceptable source shall be used when available. Where other acceptable information is not available, the elevation shall be determined by using the elevation of a point on the boundary of the identified floodplain area which is nearest the construction site.

In lieu of the above, Township may require the applicant to determine the elevation with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township.

903.3 Changes in Identification of Area

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

903.4 Boundary Disputes

Should a dispute concerning any identified floodplain boundary arise, an initial determination shall be made by the Board of Supervisors, with the recommendation of the Township Planning Commission, and any party aggrieved by this decision or determination may appeal to the Zoning Hearing Board. The burden of proof shall be on the appellant.

904 Technical Provisions

904.1 General

- A. In the identified floodplain area, the development and/or use of any land shall be permitted provided that the development and/or use complies with the restrictions and requirements of this and all other applicable codes and ordinances in force in the Township.
- B. Within any floodway area, no new construction or development shall be permitted that would cause any increase in the one hundred (100) year flood elevation.
- C. Within any AE Area/District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.
- D. Within any identified floodplain area, no new construction or development shall be located within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.
- E. Within any identified floodplain area, any new construction or substantial improvement of a residential structure shall have the lowest floor (including basement) elevated up to, or above, the regulatory flood elevation. The regulatory flood elevation is defined as the one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1.5) feet.
- F. Within any identified floodplain area, 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. The regulatory flood elevation is defined as the one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1.5) feet.
- G. Fully enclosed space below the lowest floor (including basement) is prohibited.
- H. Partially enclosed space below the lowest floor (including basement) 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 "partially enclosed space" also includes crawl spaces. Designs for meeting this requirement must either be certified by a registered professional engineer or architect, or meet or exceed the following minimum criteria:
 - 1. 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.
 - 2. the bottom of all openings shall be no higher than one (1) foot above grade.
 - 3. 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.

I. Accessory Structures

Structures accessory to a principal building need not be elevated or flood proofed to remain dry, but shall comply, at a minimum, with the following requirements:

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. floor area shall not exceed six hundred (600) 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 floodwaters.
5. power lines, wiring, and outlets shall be at least one and one-half (1.5) feet above the one hundred (100) year 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 or movement and shall be designed to automatically provide for the entry and exit of flood waters for the purpose of equalizing hydrostatic forces on the walls. 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 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.

904.2 Special Requirements for AE Area/District

Within any AE Area/District, no new construction or development shall be allowed unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the elevation of the one hundred (100) year flood more than one (1) foot at any point.

904.3 Design and Construction Standards

The following minimum standards shall apply for all construction and development proposed within any identified floodplain area:

A. Fill - If fill is used, it shall:

1. extend laterally at least fifteen (15) feet beyond the building line from all points;
2. consist of soil or small rock materials only - sanitary landfills shall not be permitted;
3. be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling;

4. be no steeper than one (1) vertical to two (2) horizontal feet unless substantiated data, justifying steeper slopes are submitted to, and approved by the Township; and,
 5. be used to the extent to which it does not adversely affect adjacent properties.
- B. Drainage Facilities - Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner in accord with all applicable Township stormwater control requirements. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
- C. Water and Sanitary Sewer Facilities and Systems
1. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
 2. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
 3. No part of any on-site sewage system shall be located within any identified floodplain area except in strict compliance with all state and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
- D. Other Utilities - All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
- E. Streets - The finished elevation of all new streets shall be no more than one (1) foot below the regulatory flood elevation.
- F. Storage - All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life, and not listed in §904.4, Development Which May Endanger Human Life, shall be stored at or above the regulatory flood elevation and/or flood proofed to the maximum extent possible.
- G. Placement of Buildings and Structures - All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of flood water.
- H. Anchoring
1. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
 2. All air ducts, large pipes, storage tanks, and other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
- I. Floors, Walls and Ceilings
1. Wood flooring used at or below the regulatory flood elevation shall be installed to accommodate a lateral expansion of the flooring, perpendicular to the flooring grain without causing structural damage to the building.
 2. Plywood used at or below the regulatory flood elevation shall be of a "marine" or "water-resistant" variety.

3. Walls and ceilings at or below the regulatory flood elevation shall be designed and constructed of materials that are "water-resistant" and will withstand inundation.
4. Windows, doors, and other components at or below the regulatory flood elevation shall be made of metal or other "water-resistant" material.

J. Paints and Adhesives

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

K. Electrical Components

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

L. Equipment - Water heaters, furnaces, air conditioning and ventilating units, and other electrical, mechanical or utility equipment or apparatus shall not be located below the Regulatory flood elevation.

M. Fuel Supply Systems - All gas and oil supply systems shall be designed to prevent the infiltration of flood waters into the system and discharges from the system into flood waters. Additional provisions shall be made for the drainage of these systems in the event that flood water infiltration occurs.

904.4 Development Which May Endanger Human Life

A. Within any identified floodplain area, any type of development or activity shall be prohibited which:

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

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

1. Acetone
2. Ammonia
3. Benzene
4. Calcium carbide
5. Carbon disulfide
6. Celluloid

7. Chlorine
8. Hydrochloric acid
9. Hydrocyanic acid
10. Magnesium
11. Nitric acid and oxides of nitrogen
12. Petroleum products (gasoline, fuel oil, etc.)
13. Phosphorus
14. Potassium
15. Sodium
16. Sulphur and sulphur products
17. Pesticides (including insecticides, fungicides, and rodenticides)
18. Radioactive substances, insofar as such substances are not otherwise regulated.
19. Any other substance as determined by the Township

904.5 Special Requirements for Manufactured Home Parks and Manufactured Homes

- A. Within any identified floodplain area, the commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or substantial improvement to an existing manufactured home park or manufactured home subdivision shall be prohibited.
- B. Where permitted within any floodplain area, all manufactured homes, and any improvements thereto, shall be:
 1. Placed on a permanent foundation.
 2. Elevated so that the lowest floor of the manufactured home is at or above the Regulatory flood elevation. (1.5 feet or more above the elevation of the 100-year flood.)
 3. Anchored to resist flotation, collapse, or lateral movement.

904.6 Hospitals, Nursing Homes, Jails or Prisons

Within any identified floodplain area, the commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities shall be prohibited:

- A. Hospitals
- B. Nursing homes
- C. Jails or prisons

905 Existing Structures in Identified Floodplain Areas

905.1 Existing Structures

The provisions of this Article do not require any changes or improvements to be made to lawfully existing structures. However, when an improvement is made to any existing structure, the provisions of §905.2 shall apply.

905.2 Improvements

The following provisions shall apply whenever any improvement is made to an existing structure located within any identified floodplain area:

- A. No expansion or enlargement of an existing structure shall be allowed within any floodway area that would cause any increase in the elevation of the one hundred (100) year flood.

- B. No expansion or enlargement of an existing structure shall be allowed within any AE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
- 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 constitute a substantial improvement and shall be undertaken only in full compliance with the provisions of this Ordinance.

906 Variances

Requests for variances shall be considered by the Township Zoning Hearing Board in accord with this Zoning Ordinance and the following:

- A. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.
- B. No variance shall be granted for any construction, development, use, or activity within any AE area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
- C. No variance shall be granted for any construction, development, use, or activity that would violate any provisions of §904.4, Development Which May Endanger Human Life, §904.5, Special Requirements for Manufactured Homes and Manufactured Home Parks, or §904.6, Hospitals, Nursing Homes, Jails or Prisons.
- D. Whenever a variance is granted, the Township shall notify the applicant in writing that:
 - 1. The granting of the variance may result in increased premium rates for flood insurance.
 - 2. Such variances may increase the risks to life and property.
- E. In reviewing any request for a variance, the Zoning Hearing Board shall consider that the granting of the variance will (I) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (ii) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
- F. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted shall be included in the required reports to the Federal Emergency Management Agency.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood.

907 Definitions

The following definitions shall be specifically applied to this Article VII and shall supplement the definitions contained in Article X of this Zoning Ordinance.

Basement: Any area of a building having its lowest floor below ground level on all sides.

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.

Development: Any man-made change to improved or 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.

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.

Flood: A temporary inundation of normally dry land areas.

Floodplain Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

Floodproofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

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.

Identified Floodplain Area: The floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood.

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.

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 which are placed on a site for more than 180 consecutive days.

Manufactured Home Park: A parcel of land which has been planned and improved for the placement of two or more manufactured homes for non-transient use.

Minor Repair: The replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit-way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

New Construction: Structures for which the start of construction commenced on or after the date of the first flood plain development standards adopted by the Township, and includes any subsequent improvements thereto.

One Hundred Year Flood: A flood that, on the average, is likely to occur once every one hundred (100) years (i.e., that has one [1] percent chance of occurring each year, although the flood may occur in any year).

Recreational Vehicle: A vehicle which is (i) built on a single chassis; (ii) not more than four Hundred (400) square feet, measured at the largest horizontal projections; (iii) designed to be self-propelled or permanently towable without a special permit by a light-duty truck or passenger automobile; (iv) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use. This definition includes, but is not limited to, campers, travel trailers, buses, camping trailers, pick-up trucks with slide-in campers, recreational vehicle homes and motor homes.

Regulatory Flood Elevation: The one hundred (100) year flood elevation plus a freeboard safety factor of one and one-half (1.5) feet.

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 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:

- 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 not preclude the structure's continued designation as a "historic structure."