

**HOPEWELL TOWNSHIP
YORK COUNTY, PENNSYLVANIA**

ORDINANCE NO. 3-2009

**AN ORDINANCE AMENDING THE HOPEWELL TOWNSHIP SUBDIVISION AND
LAND DEVELOPMENT ORDINANCE TO ADD FLOODPLAIN REGULATIONS**

WHEREAS, Hopewell Township (Township) is a municipal corporation, specifically a second-class township in the Commonwealth of Pennsylvania; and

WHEREAS, the Township has duly adopted a Subdivision and Land Development Ordinance (Subdivision Ordinance), as authorized by the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 et seq; and

WHEREAS, the Township desires to remove floodplain regulations from the Subdivision Ordinance, to comply with the Federal Emergency Management Agency (FEMA) 2009 Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) and to reference and incorporate the Hopewell Township Floodplain Management Ordinance of 2009, Ordinance No. 2-2009:

NOW THEREFORE, BE IT ORDAINED AND ENACTED and it is hereby ordained and enacted as follows:

SECTION 1: Section 203 of the Subdivision Ordinance is amended by deleting the title and definition of "FLOOD PLAIN OR FLOODWAY AREA" and replacing it with the following:

"FLOODPLAIN - Those areas designated and delineated by the Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) effective September 25, 2009 or their successors, and regulated by the Hopewell Township Floodplain Management Ordinance of 2009 or its successors."

SECTION 2: Article V of the Subdivision Ordinance is amended by adding a new Section 519, as follows:

"SECTION 519 FLOODPLAIN MANAGEMENT

- "a) In addition to the provisions of this Subdivision Ordinance, all portions of properties in the Township which are located in a floodplain area as identified in the Federal Emergency Management Agency (FEMA) 2009 Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) and/or as defined in the Hopewell Township Floodplain Management Ordinance of 2009 or its successors, shall also be subject to and regulated

by the provisions of the Hopewell Township Floodplain Management Ordinance of 2009 or its successors and the Hopewell Township Zoning Ordinance.

- “b) To the extent the Township’s Floodplain Management Ordinance of 2009 or its successors is more restrictive than, or conflicts with, this Subdivision Ordinance, the provisions of the Township’s Floodplain Management Ordinance of 2009 or its successors shall apply. To the extent that there is no conflict, or the provisions of this Subdivision Ordinance are more restrictive, the provisions of this Subdivision Ordinance shall apply.

- “c) Activities in the floodplain as identified in FEMA’s 2009 Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) are regulated by the Pennsylvania Flood Plain Management Act, 32 P.S. §679.101 et seq. (PFPMA), and the Township’s Floodplain Management Ordinance of 2009 or its successors. Pursuant to §204 of the PFPMA, the standards of the National Flood Insurance Program (NFIP) shall be deemed the minimum standards for the management of properties in the floodplain as defined and identified in the FIS, FIRMs, and/or the Township’s Floodplain Management Ordinance of 2009 or its successors, and the power of the Board of Supervisors or any other body to grant waivers, variances, or other relief from the provisions of the Floodplain Management Ordinance of 2009 or its successors pursuant to this Subdivision Ordinance shall be limited to those minimum requirements of the NFIP, as provided in §204 of the PFPMA, and the Township’s Floodplain Management Ordinance of 2009 or its successors.”

SECTION 3: This ordinance shall be effective September 25, 2009.

ORDAINED AND ENACTED this 6th day of August, 2009.

ATTEST:

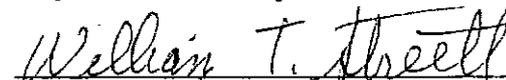

Patricia R. Schaub, Secretary

HOPEWELL TOWNSHIP
BOARD OF SUPERVISORS


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(SEAL)


William T. Streett, Supervisor