



ordinance to promote the public health, safety, and general welfare and to minimize those losses described in Section 1(a)(1) by provisions designed to:

(1) Regulate or prevent the erection of buildings and other structures in areas unfit for development by reason of periodic flooding.

(2) Protect public health by preventing pollution of surface and subsurface water supplies and providing surface area to absorb and retain runoff for maintenance of the subsurface water supply.

(3) Protect public safety by preserving natural flood plains and valley flats which are subject to periodic flooding in order (i) to prevent the increase in flood volume and rate of flow which results from covering the flood plains with impervious surfaces and from constricting natural drainage channels and (ii) to provide areas for the deposition of sediment.

(4) Prevent added downstream damage from increased flood volume and rate of flow and to permit uses of the flood plain compatible with the preservation of natural conditions and the maintenance of the stream flow throughout the year; and

(5) Minimize the financial burden imposed on the community, its governmental bodies, and individuals by floods.

## Section 2. General Provisions.

a. Short Title. This ordinance shall be known and may be cited as the "West Pikeland Township Flood Hazard District Ordinance."

b. Definitions of Flood Hazard Area and District. The flood hazard area is defined as and established to be that land, adjoining any perennial stream, as shown on the most recent United States Geological Survey quadrangle, or adjoining any ponds or lakes with an area of one acre or more, which (1) is denoted as having alluvial or wet soils by the Soil Conservation Service, United States Department of Agriculture in the Soil Survey of Chester and Delaware Counties, Series 1959, No. 19, including, without limitation because of specific enumeration, Wehadkee (We), Chewacla (Ch), Worsham (WoA, WoB, WoB2, WoC2, WsB), and Watchung (WaA, WaB2, WcB); or (2) extends fifty feet inland from the banks of said streams, lakes, or ponds, whichever distance is greater. The Flood Hazard District consists of all

*Marguerite S. Grady*  
Secretary

land in the flood hazard area. This ordinance applies to all land within the Flood Hazard District.

c. Zoning Map. The Flood Hazard District shall be shown on the West Pikeland Township Zoning Map or a map specifically designated as the West Pikeland Township Flood Hazard District Map, either or both of which, together with all explanatory material, shall be available for inspection at the West Pikeland Township office. The Zoning Map and the Flood Hazard District Map are hereby adopted by reference and declared to be a part of this ordinance.

d. Rules of Interpretation of District Boundaries. The boundaries of the Flood Hazard District shall be determined by scaling distances of the Zoning Map or the Flood Hazard District Map. Where interpretation is needed as to the exact location of the boundaries of the district as shown on the Zoning Map or the Flood Hazard District Map, the Zoning Hearing Board shall, on appeal to it, make the necessary interpretation. The person contesting the location of the district boundary shall have the burden of establishing that land does not lie within the Flood Hazard District as defined by Section 2(b).

e. Compliance. No structure, land, or water, shall hereafter be used and no structure shall be located, extended converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

f. Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

g. Repealer. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

h. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific study. Larger floods may occur on rare occasions or the flood height may be increased by manmade or natural causes such as ice jams or bridge openings constricted by debris. In such instances areas outside the Flood Hazard District or land uses permitted within the District may be subject to flooding or flood damages. This ordinance shall not create liability on the part of West Pikeland Township or any offi-

cer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

1. Severability. (1) The provisions of this ordinance shall be severable, and if any of the provisions hereof shall be held to be unconstitutional, invalid or illegal by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance.

(2) The Flood Hazard District shall be deemed an overlay on any Zoning District now or hereafter applicable to any lot in West Pikeland Township. Should the Flood Hazard District be declared inapplicable to any tract by reason of action of (a) the Board of Supervisors in amending this ordinance; (b) the Zoning Officer, the Zoning Hearing Board, or any court of competent jurisdiction in interpreting the same; or (c) the Zoning Hearing Board or any court of competent jurisdiction in determining the legal effect of the same, the zoning applicable to such tract shall be deemed to be the District in which it is located without consideration of this ordinance.

### Section 3. Flood Hazard District.

Within this District all uses not allowed as Permitted Uses or permissable as Special Exceptions shall be prohibited.

a. Permitted Uses. The following open space uses shall be permitted within the Flood Hazard District to the extent that they are not prohibited by any other ordinance and provided that they do not require structure, fill or storage of materials or equipment:

(1) Agricultural uses such as: general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming, forestry, and wild crop harvesting.

(2) Recreation uses such as: park, camp, picnic grounds, golf course, golf driving range, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farm, fish hatchery, wildlife sanctuary, nature preserve and swimming areas.

(3) An area comprising no more than three-quarters of the required minimum lot area for any lot contiguous to the Flood Hazard District, except that no required setback areas shall be located within the Flood Hazard District and provided that no

*Marquerite S. Grady*  
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ORDINANCE NO. 13

## WEST PIKELAND TOWNSHIP

An ordinance to establish, define and identify flood hazard areas and Flood Hazard Districts in West Pikeland Township, enumerating permitted and prohibited uses of land in such Flood Hazard Districts; providing for certain additional uses by special option upon approval of the Zoning Hearing Board of West Pikeland Township; providing procedures for the interpretation and clarification of the boundaries of such Flood Hazard Districts and appeals from decisions of the Zoning Officer or Board of Supervisors with respect thereto; and repealing all other ordinances or parts of ordinances inconsistent herewith.

The Board of Supervisors of West Pikeland Township, Chester County, Pennsylvania, under and by virtue of the authority granted in the Pennsylvania Municipalities Code, Act No. 247, effective January 1, 1969, as amended, 53 P.S. 10101 et seq., does hereby enact and ordain:

Section 1. Findings of Fact and Legislative Purpose.

a. Findings of Fact. (1) The flood hazard areas of West Pikeland Township are subject to periodic inundation which results in loss of property, loss of life, damage to structures, injury to people, disruption of public and private activities and services, burdensome public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

(2) The foregoing flood losses are caused by: (i) the cumulative effect of obstructions in flood hazard areas causing increases in flood heights and velocities; (ii) the occupancy of flood hazard areas by uses vulnerable to floods.

(3) This Flood Hazard District Ordinance is based upon and is consistent with the objectives and the intent of the Comprehensive Plan of West Pikeland Township, dated January 15, 1972, as amended March 5, 1973 by Board of Supervisors of West Pikeland Township.

b. Statement of Purpose. It is the purpose of this

*Marguerite S. Grady*  
Secretary

building or structure and no sanitary drainage field shall be placed within fifty feet of the Flood Hazard District boundary line where the setback requirement of any other zoning district is less than fifty feet.

(4) Permeable parking areas and roads to serve other permitted uses in the Flood Hazard District or where required by the regulations for any contiguous district.

b. Special Exceptions. The following uses are permitted only upon the granting of a special exception by the Zoning Hearing Board, in accordance with Sections 908 and 913 of the Pennsylvania Municipalities Code, as amended, 53 P.S. §10908, 10913, and upon the condition that no use permitted as a special exception shall increase the elevation of the 100-year frequency flood more than one foot at any point.

(1) Accessory uses customarily incidental to any of the foregoing permitted uses.

(2) Circuses, festivals, and similar transient amusement enterprises.

(3) Roadside stands and signs.

(4) Extraction of sand, gravel, and other materials.

(5) Railroads, roads, bridges, and utility transmission lines.

(6) Sealed water supply wells and water pipelines.

(7) Storm and sanitary sewer outlets, which shall take the shortest route across the District to the point of discharge.

(8) Grading or fill provided that the effect is not to alter substantially the cross-sectional profile of the stream basin at the point of the proposed use.

(9) Dams and impoundment basins where approved by appropriate public agencies.

(10) Single-family residences, where the property will not otherwise yield a reasonable return because of specific circumstances of topography, lot size, or lot shape, in any part of the District not having alluvial soils.

*Marguerite S. Brady*

Section 4. Administration.

a. Special Exception Procedures for Flood Hazard District.

Upon receiving an application for a special exception permit, the Zoning Hearing Board shall, prior to rendering a decision thereon, require the applicant to furnish such of the following material as is deemed necessary by the Board:

(1) Plans in triplicate drawn to scale showing the nature, location, dimensions and elevation of the lot and existing and proposed uses; photographs showing existing uses and vegetation; soil types and other pertinent information.

(2) A series of cross-sections at 25-foot intervals along the lot shoreline, showing the stream channel or the lake or pond bottom, and elevation of adjoining land areas, to be occupied by the proposed uses, and high water information.

(3) Profile showing the slope of the bottom of the channel, lake, or pond.

(4) Specifications for building materials and construction, flood proofing, filling, dredging, grading, storage, water supply, and sanitary facilities.

(5) Computation of the increase, if any, in the height of flood stages which would be attributable to any proposed uses.

b. Consultation by the Zoning Hearing Board. In considering any application for a special exception, the Zoning Hearing Board shall consult with the Board of Supervisors of West Pikeland Township, the Planning Commission of West Pikeland Township, the West Pikeland Township engineer, and, other technical experts to determine the extent to which the proposed use would (1) diminish the capacity of the flood hazard area to store and absorb flood waters, to moderate flood velocities, and to accommodate sediment; (2) be subject to flood damage; and (3) cause erosion and impair the amenity of the flood hazard area. In proceedings before the Zoning Hearing Board, the burden of proof shall be on the applicant to show that the use will be in general conformity with the objectives of this ordinance and that proper safeguards will be observed.

c. Factors to be Considered by the Zoning Hearing Board. In passing upon each application the Zoning Hearing Board shall consider:

*Marguerite S. Grady*

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments.

(2) The danger that materials may be swept on to other lands or downstream to the injury of others.

(3) The proposed water supply and sanitation systems and the ability of these systems to avoid causing disease, contamination and unsanitary conditions.

(4) The susceptibility of the proposed use to flood damage and the effect of such damage on the owner.

(5) The importance of the proposed use to the community.

(6) The requirements of the use for a water-front location.

(7) The availability of alternative locations not subject to flooding for the proposed use.

(8) The compatibility of the proposed use with existing and foreseeable nearby use.

(9) The relationship of the proposed use to the Comprehensive Plan and flood plain management program for the area.

(10) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood water expected at the site.

(12) Such other factors which are relevant to the purposes of this ordinance.

d. Conditions. Upon consideration of the factors listed above and the purposes of this ordinance, the Zoning Hearing Board may attach such conditions to the granting of a special exception permit as it deems necessary to further the purposes of this ordinance. Among such conditions, without limitation because of specific enumeration, may be included:

(1) Modification of waste disposal and water supply facilities.

*Marguerite S. Grady*

(2) Limitations on periods of use and operation.

(3) Impositions of operational controls, sureties and deed restrictions.

(4) Flood proofing measures such as the following, without limitation because of specific enumeration:

(a) Anchorage to resist flotation and lateral movement.

(b) Installation of watertight doors, bulkheads, and shutters.

(c) Reinforcement of walls to resist water pressures.

(d) Use of paints, membranes, or mortars to reduce seepage of water through walls.

(e) Addition of mass or weight to structures to resist flotation.

(f) Installation of pumps to lower water levels in structures.

(g) Construction of water supply and waste treatment systems so as to prevent the entrance of flood waters.

(h) Pumping facilities for subsurface external foundation wall and basement floor pressures.

(i) Construction to resist rupture or collapse caused by water pressure or floating debris.

(j) Cutoff valves on sewer lines or the elimination of gravity flow basement drains.

(k) Elevation of structures to reduce likelihood of flood damage.

e. Notice to Prospective Purchasers or Lessees. In any case where the Zoning Hearing Board shall grant a special exception to permit the erection of a structure in the flood hazard area, or

*Marquerite S. Grady*

a special exception to permit a change in non-conforming use of a structure already existing in the flood hazard area, the Board shall, for the protection of prospective purchasers and lessees, impose the following conditions:

(1) Require the applicant to advise prospective purchasers and/or lessees that the lot is located either entirely or partially, as the case may be, in the flood hazard area.

(2) Require that, before settlement or change in use, as the case may be, may take place, the purchaser or lessee shall signify in writing that he has been advised that the premises lies partially or entirely in the flood hazard area and a signed copy of such signification shall be delivered to the Township by the applicant.

(3) A deed restriction shall be created and placed on record to run as a covenant with the land, which restriction shall contain the following provision: "This lot is entirely (partially) within flood hazard area as defined by Section 2(b) of the West Pikeland Township Flood Hazard District Ordinance."

Approved and adopted by the Board of Supervisors of West Pikeland Township this 19<sup>th</sup> day of APRIL, 1973.

John T. Scott  
Chairman

Thomas B. Ashton

Andrew N. McClellan

Attest:

Marguerite S. Grady  
Secretary

FLOOD HAZARD DISTRICT ORDINANCE

ORDINANCE NO. 13

WEST PIKELAND TOWNSHIP

An ordinance to establish, define and identify flood hazard areas and Flood Hazard Districts in West Pikeland Township, enumerating permitted and prohibited uses of land in such Flood Hazard Districts; providing for certain additional uses by special exception upon approval of the Zoning Hearing Board of West Pikeland Township; providing procedures for the interpretation and modification of the boundaries of such Flood Hazard Districts and for appeals from decisions of the Zoning Officer or Board of Supervisors with respect thereto; and repealing all other ordinances or parts of ordinances inconsistent herewith.

The Board of Supervisors of West Pikeland Township, Chester County, Pennsylvania, under and by virtue of the authority granted in the Pennsylvania Municipalities Code, Act No. 247, effective January 1, 1969, as amended, 53 P.S. 10101 et seq., does hereby enact and ordain:

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(2) The foregoing flood losses are caused by: (i) the cumulative effect of obstructions in flood hazards areas causing increases in flood heights and velocities; (ii) the occupancy of flood hazard areas by uses vulnerable to floods.

(3) This Flood Hazard District Ordinance is based upon and is consistent with the objectives and the intent of the Comprehensive Plan of West Pikeland Township, dated January 15, 1972, as adopted March 5, 1973 by Board of Supervisors of West Pikeland Township.

b. Statement of Purpose. It is the purpose of this

ordinance to promote the public health, safety, and general welfare and to minimize those losses described in Section 1(a)(1) by provisions designed to:

(1) Regulate or prevent the erection of buildings and other structures in areas unfit for development by reason of periodic flooding.

(2) Protect public health by preventing pollution of surface and subsurface water supplies and providing surface area to absorb and retain runoff for maintenance of the subsurface water supply.

(3) Protect public safety by preserving natural flood plains and valley flats which are subject to periodic flooding in order (i) to prevent the increase in flood volume and rate of flow which results from covering the flood plains with impervious surfaces and from constricting natural drainage channels and (ii) to provide areas for the deposition of sediment.

(4) Prevent added downstream damage from increased flood volume and rate of flow and to permit uses of the flood plain compatible with the preservation of natural conditions and the maintenance of the stream flow throughout the year; and

(5) Minimize the financial burden imposed on the community, its governmental bodies, and individuals by floods.

## Section 2. General Provisions.

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b. Definitions of Flood Hazard Area and District. The flood hazard area is defined as and established to be that land, adjoining any perennial stream, as shown on the most recent United States Geological Survey quadrangle, or adjoining any ponds or lakes with an area of one acre or more, which (1) is denoted as having alluvial or wet soils by the Soil Conservation Service, United States Department of Agriculture in the Soil Survey of Chester and Delaware Counties, Series 1959, No. 19, including, without limitation because of specific enumeration, Wehadkee (We), Chewacla (Ch), Worsham (WoA, WoB, WoB2, WoC2, WsB), and Watchung (WaA, WaB2, WcB); or (2) extends fifty feet inland from the banks of said streams, lakes, or ponds, whichever distance is greater. The Flood Hazard District consists of all

land in the flood hazard area. This ordinance applies to all land within the Flood Hazard District.

c. Zoning Map. The Flood Hazard District shall be shown on the West Pikeland Township Zoning Map or a map specifically designated as the West Pikeland Township Flood Hazard District Map, either or both of which, together with all explanatory material, shall be available for inspection at the West Pikeland Township office. The Zoning Map and the Flood Hazard District Map are hereby adopted by reference and declared to be a part of this ordinance.

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e. Compliance. No structure, land, or water, shall hereafter be used and no structure shall be located, extended converted, or structurally altered without full compliance with the terms of this ordinance and other applicable regulations.

f. Abrogation and Greater Restrictions. It is not intended by this ordinance to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions, the provisions of this ordinance shall prevail.

g. Repealer. All other ordinances inconsistent with this ordinance are hereby repealed to the extent of the inconsistency only.

h. Warning and Disclaimer of Liability. The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based on scientific study. Larger floods may occur on rare occasions or the flood height may be increased by manmade or natural causes such as ice jams or bridge openings constricted by debris. In such instances areas outside the Flood Hazard District or land uses permitted within the District may be subject to flooding or flood damages. This ordinance shall not create liability on the part of West Pikeland Township or any offi-

cer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

1. Severability. (1) The provisions of this ordinance shall be severable, and if any of the provisions hereof shall be held to be unconstitutional, invalid or illegal by a court of competent jurisdiction, such decision shall not affect the validity of any of the remaining provisions of this ordinance.

(2) The Flood Hazard District shall be deemed an overlay on any Zoning District now or hereafter applicable to any lot in West Pikeland Township. Should the Flood Hazard District be declared inapplicable to any tract by reason of action of (a) the Board of Supervisors in amending this ordinance; (b) the Zoning Officer, the Zoning Hearing Board, or any court of competent jurisdiction in interpreting the same; or (c) the Zoning Hearing Board or any court of competent jurisdiction in determining the legal effect of the same, the zoning applicable to such tract shall be deemed to be the District in which it is located without consideration of this ordinance.

### Section 3. Flood Hazard District.

Within this District all uses not allowed as Permitted Uses or permissable as Special Exceptions shall be prohibited.

a. Permitted Uses. The following open space uses shall be permitted within the Flood Hazard District to the extent that they are not prohibited by any other ordinance and provided that they do not require structure, fill or storage of materials or equipment:

(1) Agricultural uses such as: general farming, pasture, orchard, grazing, outdoor plant nurseries, truck farming, forestry, and wild crop harvesting.

(2) Recreation uses such as: park, camp, picnic grounds, golf course, golf driving range, archery and shooting ranges, hiking and riding trails, hunting and fishing areas, game farm, fish hatchery, wildlife sanctuary, nature preserve and swimming areas.

(3) An area comprising no more than three-quarters of the required minimum lot area for any lot contiguous to the Flood Hazard District, except that no required setback areas shall be located within the Flood Hazard District and provided that no

building or structure and no sanitary drainage field shall be placed within fifty feet of the Flood Hazard District boundary line where the setback requirement of any other zoning district is less than fifty feet.

(4) Permeable parking areas and roads to serve other permitted uses in the Flood Hazard District or where required by the regulations for any contiguous district.

b. Special Exceptions. The following uses are permitted only upon the granting of a special exception by the Zoning Hearing Board, in accordance with Sections 908 and 913 of the Pennsylvania Municipalities Code, as amended, 53 P.S. §10908, 10913, and upon the condition that no use permitted as a special exception shall increase the elevation of the 100-year frequency flood more than one foot at any point.

(1) Accessory uses customarily incidental to any of the foregoing permitted uses.

(2) Circuses, festivals, and similar transient amusement enterprises.

(3) Roadside stands and signs.

(4) Extraction of sand, gravel, and other materials.

(5) Railroads, roads, bridges, and utility transmission lines.

(6) Sealed water supply wells and water pipelines.

(7) Storm and sanitary sewer outlets, which shall take the shortest route across the District to the point of discharge.

(8) Grading or fill provided that the effect is not to alter substantially the cross-sectional profile of the stream basin at the point of the proposed use.

(9) Dams and impoundment basins where approved by appropriate public agencies.

(10) Single-family residences, where the property will not otherwise yield a reasonable return because of specific circumstances of topography, lot size, or lot shape, in any part of the District not having alluvial soils.

Section 4. Administration.

a. Special Exception Procedures for Flood Hazard District.

Upon receiving an application for a special exception permit, the Zoning Hearing Board shall, prior to rendering a decision thereon, require the applicant to furnish such of the following material as is deemed necessary by the Board:

(1) Plans in triplicate drawn to scale showing the nature, location, dimensions and elevation of the lot and existing and proposed uses; photographs showing existing uses and vegetation; soil types and other pertinent information.

(2) A series of cross-sections at 25-foot intervals along the lot shoreline, showing the stream channel or the lake or pond bottom, and elevation of adjoining land areas, to be occupied by the proposed uses, and high water information.

(3) Profile showing the slope of the bottom of the channel, lake, or pond.

(4) Specifications for building materials and construction, flood proofing, filling, dredging, grading, storage, water supply, and sanitary facilities.

(5) Computation of the increase, if any, in the height of flood stages which would be attributable to any proposed uses.

b. Consultation by the Zoning Hearing Board. In considering any application for a special exception, the Zoning Hearing Board shall consult with the Board of Supervisors of West Pikeland Township, the Planning Commission of West Pikeland Township, the West Pikeland Township engineer, and, other technical experts to determine the extent to which the proposed use would (1) diminish the capacity of the flood hazard area to store and absorb flood waters, to moderate flood velocities, and to accommodate sediment; (2) be subject to flood damage; and (3) cause erosion and impair the amenity of the flood hazard area. In proceedings before the Zoning Hearing Board, the burden of proof shall be on the applicant to show that the use will be in general conformity with the objectives of this ordinance and that proper safeguards will be observed.

c. Factors to be Considered by the Zoning Hearing Board. In passing upon each application the Zoning Hearing Board shall consider:

(1) The danger to life and property due to increased flood heights or velocities caused by encroachments.

(2) The danger that materials may be swept on to other lands or downstream to the injury of others.

(3) The proposed water supply and sanitation systems and the ability of these systems to avoid causing disease, contamination and unsanitary conditions.

(4) The susceptibility of the proposed use to flood damage and the effect of such damage on the owner.

(5) The importance of the proposed use to the community.

(6) The requirements of the use for a water-front location.

(7) The availability of alternative locations not subject to flooding for the proposed use.

(8) The compatibility of the proposed use with existing and foreseeable nearby use.

(9) The relationship of the proposed use to the Comprehensive Plan and flood plain management program for the area.

(10) The safety of access to the property in times of flood for ordinary and emergency vehicles.

(11) The expected heights, velocity, duration, rate of rise, and sediment transport of the flood water expected at the site.

(12) Such other factors which are relevant to the purposes of this ordinance.

d. Conditions. Upon consideration of the factors listed above and the purposes of this ordinance, the Zoning Hearing Board may attach such conditions to the granting of a special exception permit as it deems necessary to further the purposes of this ordinance. Among such conditions, without limitation because of specific enumeration, may be included:

(1) Modification of waste disposal and water supply facilities.

(2) Limitations on periods of use and operation.

(3) Impositions of operational controls, sureties and deed restrictions.

(4) Flood proofing measures such as the following, without limitation because of specific enumeration:

(a) Anchorage to resist flotation and lateral movement.

(b) Installation of watertight doors, bulkheads, and shutters.

(c) Reinforcement of walls to resist water pressures.

(d) Use of paints, membranes, or mortars to reduce seepage of water through walls.

(e) Addition of mass or weight to structures to resist flotation.

(f) Installation of pumps to lower water levels in structures.

(g) Construction of water supply and waste treatment systems so as to prevent the entrance of flood waters.

(h) Pumping facilities for subsurface external foundation wall and basement floor pressures.

(i) Construction to resist rupture or collapse caused by water pressure or floating debris.

(j) Cutoff valves on sewer lines or the elimination of gravity flow basement drains.

(k) Elevation of structures to reduce likelihood of flood damage.

e. Notice to Prospective Purchasers or Lessees. In any case where the Zoning Hearing Board shall grant a special exception to permit the erection of a structure in the flood hazard area, or

a special exception to permit a change in non-conforming use of a structure already existing in the flood hazard area, the Board shall, for the protection of prospective purchasers and lessees, impose the following conditions:

(1) Require the applicant to advise prospective purchasers and/or lessees that the lot is located either entirely or partially, as the case may be, in the flood hazard area.

(2) Require that, before settlement or change in use, as the case may be, may take place, the purchaser or lessee shall signify in writing that he has been advised that the premises lies partially or entirely in the flood hazard area and a signed copy of such signification shall be delivered to the Township by the applicant.

(3) A deed restriction shall be created and placed on record to run as a covenant with the land, which restriction shall contain the following provision: "This lot is entirely (partially) within flood hazard area as defined by Section 2(b) of the West Pikeland Township Flood Hazard District Ordinance."

Approved and adopted by the Board of Supervisors of West  
Pikeland Township this                      day of                      , 1973.

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Attest:

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Secretary