

ORDINANCE NO. 165-2008

An ORDINANCE of the BOROUGH of BRIAR CREEK amending Ordinance No. 90 of the Borough of Briar Creek for the purpose of meeting the requirements of Section 1361 of the National Flood Insurance Act of 1968, as amended, within six (6) months of February 19, 2008.

BE IT HEREBY ORDAINED AND ENACTED THAT THE BOROUGH OF BRIAR CREEK, COLUMBIA COUNTY, COMMONWEALTH OF PENNSYLVANIA AMENDS ORDINANCE NO. 90 OF THE BOROUGH OF BRIAR CREEK (Floodplain Management Ordinance) IN ORDER TO CONTINUE TO BE ELIGIBLE FOR THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) BY THE ADOPTION OF THE FLOODPLAIN MANAGEMENT REGULATIONS OF PARAGRAPH 60.3 (d) of the NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS (44 CFR 59, ETC.) BY THE EFFECTIVE DATE OF THE FLOOD INSURANCE RATE MAP (FIRM). THE STANDARDS ARE THE MINIMUM REQUIREMENTS AND DO NOT SUPERCEDE ANY STATE OR LOCAL REQUIREMENTS OF A MORE STRINGENT NATURE.

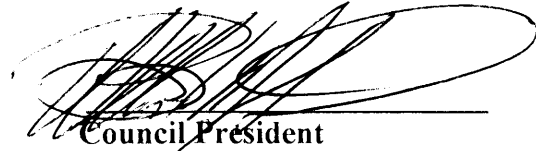
The regulations of Paragraph 60.3 (d) of the National Flood Insurance Program are as follows:

60.3 (d) When the administrator has provided a notice of final base elevation within Zones A1-30 and/or AE on the community's FIRM and, if appropriate, has designated AO zones, AH zones, A99 zones and A zones on the community's FIRM, and has provided data from which the community shall designate its regulatory floodway, the community shall:

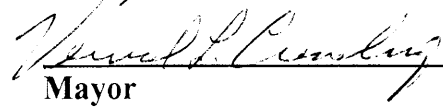
- (1) Meet the requirements of paragraphs C (1) through (14) of this section;
- (2) Select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood, without increasing the water surface elevation of that flood more than one foot at any point ;
- (3) Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practices that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;
- (4) Notwithstanding any other provisions of 60.3, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first applies for a conditional FIRM and floodway revision, fulfills the requirements for such revisions as established under the provisions of section 65.12, and receives the approval of the administrator.

**BE IT HEREBY ORDAINED AND ENACTED BY THE BOROUGH OF
BRIAR CREEK, COLUMBIA COUNTY, COMMONWEALTH OF
PENNSYLVANIA ON THIS, THE 2ND DAY OF APRIL 2008.**

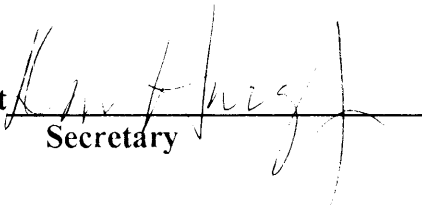
**ALL ORDINANCES INCONSISTANT WITH THIS ORDINANCE ARE
HEREBY REPEALED.**



Council President



Mayor

Attest 
Secretary